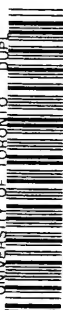


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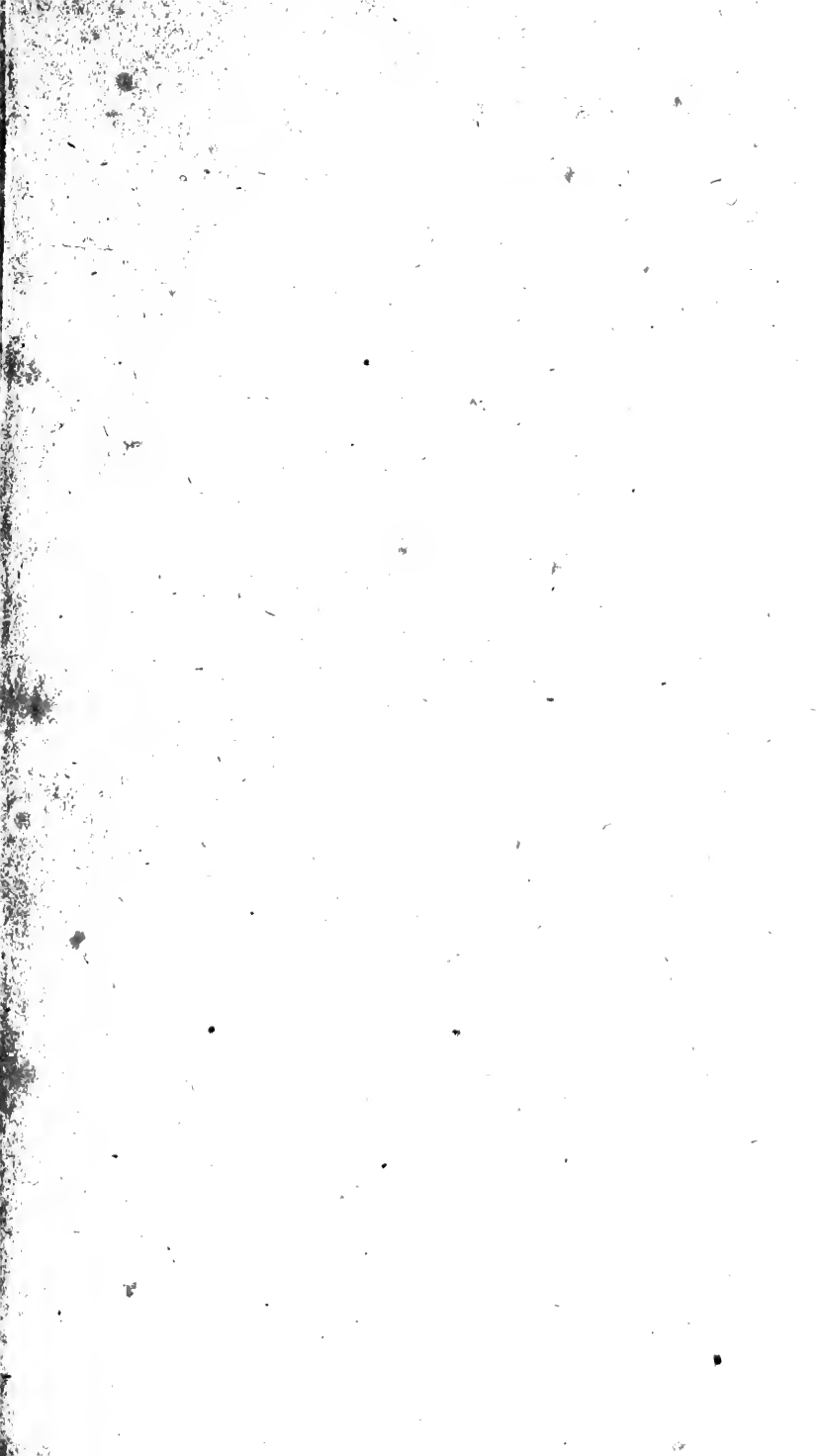
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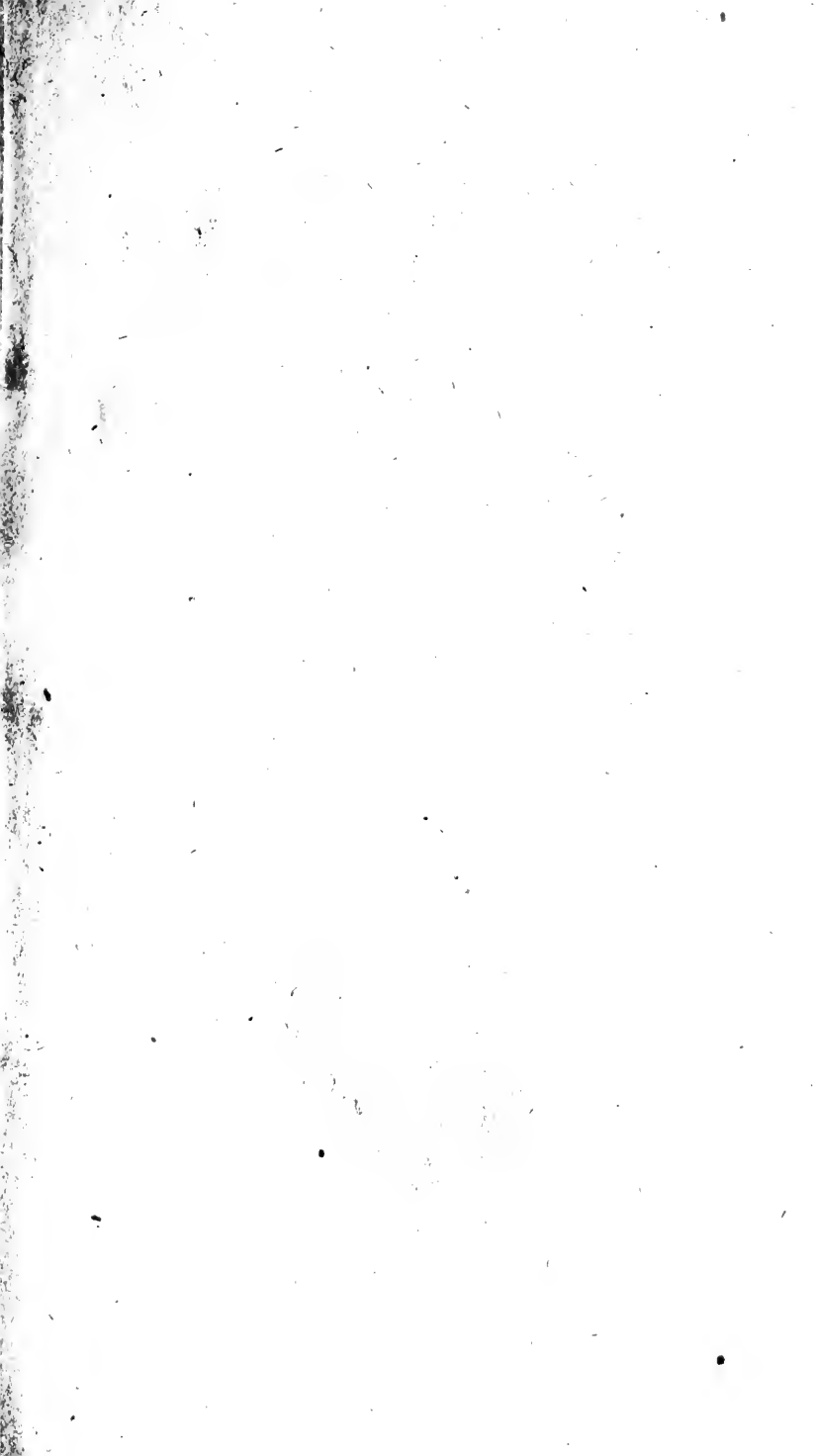
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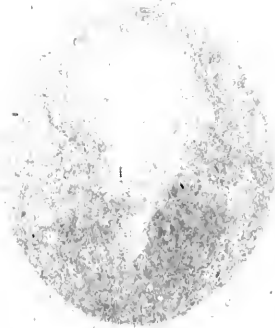
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THE
HISTORY
John OF *Campbell*
PROGRESS AND TERMINATION
OF THE
ROMAN REPUBLIC.

BY
ADAM FERGUSON,
LL. D. F. R. S. E.

LATE PROFESSOR OF MORAL PHILOSOPHY IN THE UNIVERSITY OF
EDINBURGH; MEMBER OF THE ROYAL ACADEMY AT BERLIN,
OF THE ROYAL ACADEMY AT FLORENCE, OF THE ETRUS-
CAN SOCIETY OF ANTIQUARIES AT CORTONA,
AND OF THE ARCADIA AT ROME.

A NEW EDITION, IN FIVE VOLUMES,
REVISED AND CORRECTED.
WITH MAPS.



VOL. I.

EDINBURGH:

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TO THE
K I N G.

S I R,

THE History of the Romans, collected from the remains of ancient Authors, has been often written in the different languages of Europe. But a relation worthy of the subject, simple and unambitious of ornament, containing in the parts an useful detail, and in the whole a just representation, of the military conduct and political experience of that people, appeared to me to be still wanting.

Having earnestly endeavoured to supply this defect, especially in what
b relates

DEDICATION.

relates to the later times of the Republic, the intention, I hope, joined to the importance of the matter, will justify my humble desire to inscribe this Performance to your MAJESTY.

I am, with the most profound Respect,

S I R,

YOUR MAJESTY'S

Most faithful Subject, and

Most obedient humble Servant,

EDINBURGH, }
Feb. 1. 1783. }

ADAM FERGUSON.

ADVERTISEMENT.

IN a Note prefixed to the former Edition of this Work, the Reader was warned of a freedom taken in the promiscuous use of ancient and modern geographical names: but as, in that instance, there was scarcely any deviation from common practice, the irregularity, if observed, may, it is hoped, have been forgiven.

It has since occurred, that it might give more satisfaction to Readers who do not themselves consult the originals, to have some View, however contracted, of the Authorities

on which the following Narration is founded ; serving at once to shew what encouragement modern compilers have had to attempt such a work, and what were the difficulties, which they had to surmount. In presenting such a view, however, there is no intention to criticise the original authors ; but merely to observe on their means of information, and title to be quoted as evidence.

The earliest memorials of what passed at Rome, were Annals said to be kept by the Supreme Pontiff, and by him exposed to public inspection, even from the days of Romulus,—a circumstance, surely, not much to be looked for in such times : But, whatever we may think of this, it is confessed, that Rome itself, with all its contents, was destroyed by the Gauls, near four hundred years after its foundation ; and there was no attempt to revive its history for near two hundred years afterwards, unless we suppose the Great Annals, mentioned by Atticus in one of the Dialogues of

of Cicero *, to have been such an attempt by some antiquary, who, the better to pass his fabrication for an original, concealed himself. Next to the author of these Annals ascribed to the Supreme Pontiff, Fabius and Cato, who lived in the sixth century of Rome, or in the time of the wars with Carthage, are, in the same passage of Cicero, placed as the first adventurers in Roman history. With respect to ancient times, therefore, of which these authors could not obtain much good information, we may suspect that the greater part was tradition, interlarded with fable; although, with respect to what they themselves had access to know, as parties concerned, or from the relation of contemporary writers, of whom there were some in Greek, they were no doubt highly entitled to credit. Both are mentioned among the Officers of State, and Cato, in particular, is quoted as a pattern of wisdom, frugality, and severity of manners. Among the authorities from which these first Roman historians may have derived

* Vid. de Legibus, lib. i. c. 2.

information, are mentioned Hieronymus Cardianus, Timæus Siculus, and others ; all of whom, in writing of Alexander and his successors, must have only cursorily mentioned the Romans, and must themselves have been of an age not much higher than that of Fabius and Cato, that is, about the age of Pyrrhus, who was opposed to the Romans in their war with Tarentum. The biographer of this adventurer, too, in treating of his subject, must have given the Romans their place in his narrative. But whatever may have been contained in any such memorials, no longer extant, must be looked for in the compilations of Dionysius of Halicarnassus, Livy, Plutarch, and others, who lived after the Republic itself was no more. Dionysius was a Greek, who removed to Rome soon after the sovereignty of the Empire devolved on Octavius, and, continuing there about twenty years, became acquainted with what could be known of its history. He professed himself a writer of antiquities ; but, whilst he complains that his subject had been too much neglected by
former

former authors, he must be understood to confess, that he himself was left without any adequate information or record to support him in the detail which he affects to give. It appears, that he wrote no less than twenty volumes or books, continuing his narration from the earliest tradition of any Roman story, down to the first Punic War. Of these twenty books, however, no more than eleven are now recovered from the ruins of ancient literature ; and they end with the expulsion of the Decemvirs, about the close of the fourth century of Rome.

Livy, to whom, also, we owe a detail of what was reported from the first ages of Rome, was a native of Padua ; and being retained in the family of Livia, as tutor to Claudius, one of her grandsons, who was afterwards raised to the Empire, must have had access to every source of information the times could afford : But in respect to the early transactions for which he is now to be quoted, he could not

have had any authorities besides those already mentioned: And he himself, in entering upon his subject, expresses a doubt whether it was worth while to repeat the uncertain accounts which were preserved of the origin and first ages of Rome.

Plutarch was a Greek, who lived at Rome in the reign of Trajan, about a century later than Livy. In writing the Lives of Romulus, Numa, and Camillus, he must have borrowed from Livy and Dionysius, or rested on the same authority with them. But when we consider the source from which these authors derived, we are scarcely at liberty to assume as history any more than such facts as tradition was competent to supply; such as the origin of the Roman State having been a small principality; the names, numbers, and wars of its leaders; signal and notorious events; great revolutions, and so forth.

From the times of Fabius and Cato, indeed, memoirs and diaries were multiplied at Rome.

It

It was common for persons of high station to record the transactions in which they themselves bore a part, and frequent essays were made of more general history. Among the authors of this sort, are mentioned one Albinus, who wrote in Greek: Cassius, who carried the general history of Rome down to the destruction of Carthage: Polybius, whose authority is to be more particularly mentioned hereafter: Scribonius Libo, who served under Galba in Spain, and afterwards impeached his Commander for an act of treachery to the natives: Fannius, who served under the younger Scipio in the reduction of Carthage. Calpurnius Piso Frugi, author of the first penal statute to restrain extortion in the provinces, being contemporary with Caius Gracchus, he wrote particularly of those interesting times. Attius or Accius, Ennius and Nævius, who, towards the end of the sixth century, composed Roman history in verse: Sempronius Osellio, who served under Scipio in the war with Numantia: Lucius Cælius Antipater: Junius Gracchanus; all of them
quoted

quoted as compilers of general history. Æmilius Scaurus, who was Consul in the year of Rome 639, wrote his own memoirs ; as did Rutilius Rufus, Consul ten years afterwards, besides a general history of Rome in Greek. He is numbered with the most respected of the Romans, for public and private virtue : Being at variance with the popular faction, he ended his life in exile at Smyrna. These are mentioned now, although none of their productions remain, merely to shew on what grounds Livy, Salust, and other writers, may have rested their own credit. And to those writers, also, may be joined the celebrated names of Lutatius Catulus, of Caius Marius, of Cornelius Sulla, and others, down to Julius Cæsar, whose well known Commentaries make so important a part in the military transactions of Rome. Even Hannibal may be numbered in this list, on account of the columns which he erected in Calabria, before his departure from Italy, inscribed with the principal dates and transactions of the war, quoted by Polybius.

From

From the beginning of the great political contests at Rome, every individual acted upon the scene of public life ; and after the first exploit of the Commonwealth beyond the limits of Italy, the State itself acted upon a public scene of the world ; where every event was notorious beyond what is known of any other instance in the history of mankind. And if we subjoin, that, for a considerable period, the proceedings of the Senate and People, formerly neglected, began to be carefully preserved in proper records ; we cannot too much regret, that so little of the works of Salust and Livy remain on the subject of transactions concerning which their information may have been so complete. Salust is known to have written a General History of Rome ; but no more than his Account of the War with Jugurtha, and of the Conspiracy of Cataline, remain to us.

Of one hundred and forty Books composed by Livy, no more than thirty-five have yet
been

been recovered. These consist of the first ten, containing what may be called Antiquities, down to the fifth Century of Rome. The following ten Books, or those from the eleventh to the twentieth inclusive, are still missing. From the twenty-first to the forty-fifth are recovered. These, indeed, contain a very interesting period of History, from the beginning of the second Punic War to the reduction of Macedonia, about five hundred and eighty years after the foundation of Rome. Although, in point of time, this amounts to the greater part of the whole period of Livy's History; yet, compared to what must have followed, relating to transactions the most important, and to persons the most distinguished, of any age or nation, we must consider what has hitherto been recovered, as but the meaner and less authentic part of his Work.

So much of this great Production, and the whole of Salust's General History, being lost, must oblige us to supply the defect from other writers of less note; but qualified, in being
possessed

possessed of these superior authorities, to furnish great part of the information required. In this exigency, therefore, we recur to the Epitome of Livy himself, written by an unknown hand. To Florus, a man of letters, supposed to have lived in the reign of Trajan. Eutropius, who served under Julian, in his expedition to Parthia. Velleius Paterculus, an officer of high rank under Tiberius, whom he flatters; though he himself, at least in his literary capacity, deserved a better patron. What remains of this author, indeed, is but a part of what he wrote. And our principal supply, in this deficiency of Livy and Salust, is from Polybius, Plutarch, Dion Cassius, and Appian. To the first, we recur as an authority from whom Livy himself probably derived much information, and whom, especially in military transactions, we must consider as the preferable authority of the two. He was a native of Megalopolis, one of the component members of the Achæan League. His father, Lycortas, having been at the head of this League; the son was trained up and employed

ployed in affairs of state and of war. When the League was dissolved, to make way for the sovereignty of Rome, Polybius, with many others, was removed to Italy, to serve as hostages for the good behaviour of their countrymen. At Rome he became intimate with many of the highest rank, and particularly attached to the younger Scipio Africanus, many of whose actions he witnessed ; and never was authority more entire, whether we consider him in respect to his capacity of distinguishing what was important in the detail of military and political operations, or in respect to his predilection for truth, in preference to any misrepresentation of matters, where truth alone can give any value to the statement. This Work, when entire, consisted of forty Books : but of these, only five, with some fragments of the others, remain to us. Plutarch, in writing the Lives of Persons of different Ages, has preserved separate pieces, whether of history or tradition, from the foundation of Rome down to the first period of the Empire ; so that whilst he tells us what was reported of Romulus

lus

ius and Numa, he also details the actions of Marius, Sylla, Lucullus, Cicero, Pompey, and Cæsar.

In the remains of Dion Cassius, we have a continued series of Roman history, from the times of Lucullus to the death of the Emperor Claudius, and thus extending beyond our period. This author was a native of Bythinia. His father had been governor of Cilicia under the Emperor Hadrian. He himself removing to Rome, was admitted into the Senate under the Emperor Commodus; and continuing in favour with successive Emperors, passed through the Consulate in the reign of Alexander the son of Mammea. His rank, and means of information, therefore, entitle him to credit. He had composed a general History of Rome, from its origin down to his own times, consisting of fourscore Books; of which the first thirty-four, and part of the thirty-fifth, are lost: but twenty-five books, from the thirty-fifth to the sixtieth inclusive, containing the period of history now mentioned, are still extant.

tant. The twenty books which followed after these, are lost, and if they were recovered, have no relation to our period.

Appian of Alexandria was also a person of rank, himself said to have been governor of a province under the Antonines ; and being posterior to Plutarch, transcribes him in some places. He, too, is supposed to have composed a general History of Rome, from Æneas to Trajan, of which the histories which now bear his name were only extracts, relating to different wars, foreign or domestic ; as those with Hannibal, with Mithridates, and Syria ; together with the civil wars of Marius and Sylla, of Pompey and Cæsar. These being arranged in their proper places, contribute greatly to the general stock of information, to which the separate remains of Salust, in the war with Jugurtha, and the conspiracy of Cataline, are still a more satisfactory addition. This author was a Roman Senator ; though, in part of his life, obnoxious to censure and reproach in his moral character, and afterwards, in subverting the
the

the Republic, a partizan of Cæsar; yet he is allowed to be of good credit in history, as well as distinguished by the energy of his style.

In continuing to take the series of information chiefly from Dion Cassius, we come upon the ground of Cæsar's Commentaries; with the Correspondence, and other works of Cicero; the Lives of the Cæsars, by Suetonius; the Annals of Tacitus, respecting the latter times of Augustus; the reign of Tiberius, and the accession of Caius, at which our narration concludes. Concerning the credit of these authors, it is not necessary to offer any remarks, even to those who have barely heard of their names.

Throughout the whole, or any part of our narration, we avail ourselves of circumstances or facts mentioned by authors, though not professing to write History, as Strabo the Geographer, who, living in the reign of Augustus, travelled to visit the countries of which he

wrote ; and in mentioning places, sometimes recalls the memory of transactions connected with them. Pliny, the Natural Historian, whose informations sometimes have reference to matters of State ; A. Gellius, a Grammarian, who lived under the Emperor Hadrian, and in his collections, which he calls *Attic Nights*, has preserved some facts and quotations from more ancient authors. To these we may join Asconius Pædianus and Festus. The first, in his Introductions to the Orations of Cicero, or in stating their subjects and occasions, has preserved some particulars which might otherwise have been lost. The other, a Grammarian, who, in abridging Varro, and explaining terms, sometimes touches upon matter of History.

There are also writings more of an historical cast, which must not be omitted here, whether ancient, and relating to other nations with whom the Romans had to do, or of which the authors, though living lower down in the Christian era, yet, before the destruction of letters, had access to consult the more ancient authors
entire.

entire. Of the first class are Pausanias and Josephus; the one writing of Greece, the other of Judea. Frontinus, a military officer who served under Vespasian, Nero, and Trajan, and who, in collecting stratagems of war, sometimes falls within our period. Valerius Maximus, who was an adherent of Sextus, the last of the unfortunate sons of Pompey, and has left a collection of remarkable sayings, actions, and examples of different sorts, which occur to be quoted. Cornelius Nepos, well known for the Lives of eminent Personages, whether Greek or Roman; and, lastly, of the same description, Aurelius Victor, who living about the times of Constantine, has written the Lives of Illustrious Persons, and of the Cæsars in particular. And it is unnecessary to observe, that the list and succession of Consuls, and other Officers of State, however preserved, are a material aid in compiling this History.

Among the authors of a later date, who may have had access to consult the ancients entire, we quote Orosius, a Spanish priest of
the

the fifth century ; Zonaras and Xephilinus, both of Constantinople, and previous to the invasion of the Turks.

Such, then, are the materials, from which any continued relation of the Progress and Termination of the Roman Republic can be attempted ; and an author, who would specify the occasion and progress of every transaction, is nearly in the state of a limner, who, attempting to restore the portrait of a person deceased, is furnished only with fragments of sculpture, or shreds of canvas, bearing the form and outline of some feature, the tint of complexion, or colour of eyes and hair, and, who is reduced, where the original is wanting, to put up with a copy, though by an inferior hand ; fortunate, if in all these taken together, the features and character he is in search of can be made to appear. But it must be confessed, that the masterly cast of our materials in the present case is such, that it must be the fault of those who employ them, if the production

duction fall short of resemblance, or a just effect.

Although, in making this attempt, ancient authorities alone are to be followed, yet there are aids of a more recent date, to which this Compiler, if there be any merit in his performance, must loudly acknowledge his obligations. Such are, the Dissertations of Guazessi and Vestrini, quoted in their respective places; the Annals of Pighius, a powerful assistant in removing chronological and other difficulties, or in leading to the less obvious authorities; the Commentaries of Mongault on the Letters of Cicero to Atticus, and the Considerations of Montesquieu on the Grandeur and decline of the Romans.

As to the following Edition of this work, the Reader will be pleased to observe, that the division into books is omitted, and the chapters numbered on to the last, merely to facilitate the partition of the whole into volumes of this size. Some effects of inadvertency in the
matter

matter have been remedied ; and the place or ground of some military operations or movements have been reconsidered, and, from personal observation, or aids politely supplied on the spot, more accurately fixed. The language, too, has been revised, though without any intention to depart from that simplicity of style which is surely expedient in compositions of this sort, where we mean, to the best of our knowledge, to retrace the course of human nature itself, not to gather the flowers which every ingenious author may strew upon the way.

Here, it is presumed, we read as we look about us in common life, to enlarge our stock of that knowledge, of which the better part is founded in the experience we ourselves have had ; and as experience, of which History professes to be the faithful record, is too stubborn to be ruled by the predilection of its votaries, or owe its title to be relied on to any consideration besides that of reality and fact, an author cannot be too earnest to bring forward
his

his subject as he has found it, without any attempt to amplify, extenuate, or warp in any direction, leaving his readers to infer, as they may from the past, what in like circumstances, and from actors of a similar cast, they should lay their account with in human life.

EDINBURGH, }
May 1. 1799. }

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THE
HISTORY
OF THE
PROGRESS AND TERMINATION
OF THE
ROMAN REPUBLIC.

John Campbell

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*The Subject.—Supposed Origin of the Roman State.
—Its Government.—The King.—Senate.—People.—Curia.—Centuries.—Tribes.—Religion.—
The Triumph.—Original Maxims.—Progress of
the State under its Kings.—Change to a Republic.*

THE Roman State was originally a small prin- CHAP.
I.
cipality, and one of the many little cantons, which, under the denomination of Latins, occupied the left of the Tiber, from its confluence with the Anio to the Sea, and from Ostia to Circeii on the coast. Within this narrow tract, extending on the shore about fifty miles, but in breadth inland no more than sixteen miles, the Latins are said to have formed no less than forty-seven independent communities¹, having for each a separate capital or strong hold, to which they occasionally retired for safety, with their cattle and other effects, and

VOL. I.

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from

¹ Dionys. Halicar. lib. iv.

CHAP. from which they had frequent wars to maintain¹.

I. The country, divided into so many separate territories, we may consider as resembling some of the lately discovered islands in the Southern or Pacific Ocean², where every height is represented as a fortress, and every little township, that can maintain its possessions, as a separate state. Among settlements of this description, the Romans, though originally no way distinguished in point of possessions or numbers, yet, in consequence of some superiority of institution or character, came, at an early period, to have a decided ascendant.

Beyond the Tiber on the one hand, and the Liris on the other, the contiguous parts of Italy were possessed, in the same manner with Latium, by different races of men, who, under various denominations of Etrurians, Samnites, Campanians, and others, formed a multiplicity of little nations, united by leagues for common safety, and ranged under opposite interests, with a view to some balance of power which they endeavoured to maintain. The peninsula towards one extremity³, was from time immemorial peopled with Grecian colonies. Towards the other, it was, in the first ages of the Roman state, overrun by nations of Gaulish extraction⁴.

The land throughout, in respect to situation, climate, and soil, was highly favoured, diversified with mountain and plain, well wooded and watered, replenished with useful materials, fit to yield
pasture

¹ Liv. lib. i. c. 5. &c.

³ Magna Græcia.

² See Cook's Voyage to New Zealand.

⁴ Gallia Cisalpina.

pasture for numerous herds, and to produce abundance of corn, wine, and oil : And, what is still of more importance, was already become the flourishing nursery of ingenious men, ardent and vigorous in their pursuits, though, in respect to many arts and inventions, yet in a state of great simplicity or ignorance.

CHAP.

I.

The Romans, who made their first step to dominion by becoming heads of the Latian confederacy, continued their progress to the sovereignty of Italy ; or, after many struggles, in that country, with nations possessed of resources similar to their own, united its forces under their own direction, and from thenceforward became the conquerors of many kingdoms in Asia and Africa, as well as in Europe ; forming an empire, if not the most extensive, at least the most splendid of any that is known in the history of mankind. In possession of this seeming advantage, however, they were unable to preserve their own institutions ; they became, together with the conquests they had made, a prey to military government, and a signal example of the vicissitudes to which prosperous nations are exposed.

This mighty state, remarkable for the smallness of its origin, as well as for the greatness which followed, has, by the splendour of its national exertions, by the extent of its dominion, by the ability of its councils, or by its internal revolutions and reverses of fortune, ever been a principal object of history to all the more enlightened nations

CHAP. of the western world. To know it well, is to know
 I. mankind; and to have seen our species under the
 fairest aspect of great ability, integrity, and courage. There is a merit in attempting to promote the study of this subject, even if the effect should not correspond with the design.

Under this impression the following narrative was undertaken, and chiefly with a view to the great revolution, by which the republican form of government was exchanged for despotism; and by which the Roman people, from being joint sovereigns of a great empire, became, together with their own provinces, the subjects, and often the prey, of a tyranny which was equally cruel to both.

As in this revolution men of the greatest abilities, possessed of every art, and furnished with the most ample resources, were engaged, in opposition, or in concert together, the scene is likely to exhibit what may be thought, in action at least, the utmost range or extent of the human powers; and what may furnish, to those who are engaged in transactions any way similar, models by which they may profit, or from which they may form sound principles of conduct, derived from experience, and confirmed by examples of the highest authority.

The event which makes the principal object of this History, has been sometimes considered as a point of separation between two periods, which have been accordingly treated apart,—the period of the republic, and that of the monarchy. During

ring a considerable part of the first period, the Romans were highly distinguished by their genius, magnanimity, and national spirit, and made suitable attainments in what are the ordinary objects of pursuit,—wealth and dominion. In the second period, they continued for some time to profit by the advantages which had been formerly gained; and while they walked in the tract of the commonwealth, or practised the arts and retained the lessons which former ages had taught, still kept their possessions. But after the springs of political life, which had been wound up in the republic, no longer continued to act; when the state was become the concern of a single person, and the vestige of former movements was effaced; the national character declined, and the power of a great empire became unable to preserve what a small republic had acquired. The example, whether to be shunned or imitated, is certainly instructive in either period; but most so in the transition that was made from one to the other; and in the forfeiture of those public advantages, of which the Roman people, in some part of their course, availed themselves with so much distinction, and which, in the sequel, they abused with so much disorder at home, and oppression of their subjects abroad.

With this object before me, I hasten to enter on the scenes in which it begins to appear; and shall not dwell upon the supposed history of the first ages of Rome; nor even stop to collect particulars relating to the forms of the commonwealth,

CHAP. longer than is necessary to aid the reader in recol-
 I. lecting the circumstances which formed the con-
 juncture in which this interesting change began
 to take place.

For this purpose, indeed, a general description of the state and its territory, such as they were in the beginning of this transaction, might have been sufficient; but as it is difficult to fix the precise point at which causes begin to operate, or at which effects are complete, I have indulged myself in looking back to the origin of this famous republic, whether real or fabulous, intending, with a few occasional reflections on the sources of information, to leave the reader to determine, at what time he will suppose the period of authentic history to begin; and, having contemplated the state in its vigour, at what time he will suppose the causes of its ruin to begin their operation, or to produce their effects.

As it is impossible to give, in mere description, a satisfactory account of a subject which is in its nature progressive and fluctuating, or to explain political establishments without some reference to the occasions from whence they arose, I have, upon these accounts, endeavoured to give, even to the first part of my labours, the form of narration; and, together with the progress of political institutions in the state, have remarked its territorial acquisitions and conquests, in the order in which they were made. In proportion as the principal object of the history presents itself, I shall wish, as far

far as my talents and the materials before me allow, to fill up the narration with all the detail that is necessary to characterise persons, or to specify transactions in their origin, progress, and end, without otherwise attempting to gain the readers esteem for myself, anticipate his judgment, or officiously obtrude my own. When this is done, and the catastrophe is passed, I shall wish again to contract my narration; and as I open with a summary account of what preceded my period, close with a similar view of its sequel.

The Romans are said to have made their settlement in the end of the sixth, or beginning of the seventh, Olympiad¹, about two hundred years before the accession of Cyrus to the throne of Persia, seven hundred years before the Christian Æra, and long before the date of any authentic profane history whatever. The detail of their story is minute and circumstantial; but on this account is the more to be suspected of fiction²: And in many parts, besides that of the fable, with which it is confessedly mixed, may, without any blameable scepticism, be rejected as the materials or embellishments of a mere tradition, which partakes in the uncertainty of all other profane history of the same times, and labours under the obscurity which hangs over the origin of all other nations³.

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That

¹ Dionys. Hal. lib. i.

² *De Remo et Romulo ut aiunt*, appears to have been a proverbial expression for any gossiping tale of remote antiquity. Vid. Cicero, de Legibus, lib. 3.

³ Liv. lib. vi.

CHAP.

I.

That the Roman state was originally a small one, and came by degrees to its greatness, cannot be doubted. So much we may safely admit on the general analogy of human affairs; or infer, from the continuation and recent marks of a progress which this people were making, after they became an object of observation to other nations¹, or began to keep records of their own: That they had been an assemblage of herdsmen and warriors, ignorant of letters, of money, and of commercial arts, inured to depredation and violence, and subsisting chiefly by the produce of their herds, and the spoils of their enemies, may be safely admitted; because we find them, in the most authentic parts of their story, yet busied in supplying these defects, and coming forward in the same direction, and consequently proceeding from the same origin, with other rude nations; being, in reality, a horde of ignorant barbarians, though likely to become an accomplished nation.

In the first accounts of their settlement, it is said that they mustered three thousand men on foot and three hundred on horseback². Their establishment being effected by surprise or by force, and their people consisting of armed men, who had every acquisition to make at the expence of their neighbours, they were naturally in a state of war with the country around them. They took post on the Palatium, a small height, among others, on the Tiber, which, according to former traditions, had been previously occupied

¹ Dionys. Hal. lib. i.

² Liv. lib. i. c. 4.

occupied by five different races of men, who, in a country so precariously settled, were frequently changing their places¹. Their city, humouring the form of the eminence on which it stood, was the first model of a Roman camp, fortified with a square breast-work and ditch, to serve as an occasional retreat to themselves and their cattle. Their leader, or chief, was the sole magistrate or officer, either civil or military. His followers were distinguished into different classes or ranks, under the names of Patrician and Plebeian; Patron and Client. "The Patron," says Dionysius, "was to protect, to give counsel; and, whether present or absent, was to his clients what the father is to his family. The Clients, in return, were to contribute to the support of their Patron, to aid him in placing his children in marriage; and, in the case of his being taken by an enemy, were to pay his ransom; or, in the case of his being condemned in a fine, were to discharge it for him²."

The limits of prerogative and privilege, as in other rude societies, were yet imperfectly marked. It was the prerogative of the king to lead in war, and to rule in peace; but it is probable that he no more wished to deliberate, than to fight alone; and, though he may have done either occasionally, yet numbers were ever ready to attend him in both. The people acknowledged him as their chieftain, or prince; but they themselves, as in other instances of the same kind, were accustomed,

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¹ Dionys. Hal. lib. i.

² Ibid. lib. ii. c. 10.

CHAP. on remarkable occasions, to assemble; and the
 I. whole being present, without any concerted form of democracy, became the sovereign power, as often as their passions engaged them to act in a body. The superior class of the people as naturally came to have their meetings selected, and may have frequently assembled apart, when the occasion was not sufficient to require the attention of the whole¹. Hence probably the existence of a senate, and of the comitia, or popular assemblies, institutions of so early a date as to be ascribed to the first of their kings².

Even this founder of the state, we are told, was distinguished by his ushers, or lictors, carrying before him the axe and the rods, as the emblems of his power, and the instruments of his justice. The names of the senators were entered in a list, and they were separately called to their meetings. Assemblies of the people were proclaimed at the sound of a horn. The citizens were distinguished into *Curiae*, Centuries, and Tribes; divisions under which they formed their several compartments, for military array, religious ceremonies, or political deliberations. When met to decide on any public affair, each division apart collected the votes of its members, from thence formed an award for the Curia or Century; and, by the majority of these, determined the whole. The *Curiae* were fraternities, or divisions of the people, which met
 for

¹ De minoribus rebus Principes, de majoribus omnes consultant. Tacit. de Moribus Germ.

² Dionys. lib. i.

for the performance of religious rites : each had its separate priest, and place of assembly. When the CHAP.
L
Curiae were called on matters of state, they retained part of their religious forms ; opened their meeting with observing the auspices, or signs of futurity ; and if these were unfavourable, could not proceed on business. The Augurs, therefore, in this mode of assembly, had a negative on the proceedings of the people.

The Centuries were formed on a more artful idea, to make power accompany wealth. The people were divided into classes, according to the rate of their fortunes : each class was divided into Centuries ; but the number of Centuries in the different classes was so unequal, that those of the first or richest class made a majority of the whole ; and when the Centuries of this class were unanimous, they decided the question. By this institution, the rich were masters of the legislature, though not without some compensation to the poor, as the several classes were charged with taxes and public services, in the same proportion in which they were vested with power.

The people, when thus assembled, were distinguished in their classes by their ensigns and arms, and, though called together on political affairs, were termed the army¹.

In the first ages of this principality or commonwealth, the meetings of the people were held first by Curiae, and afterwards by Centuries. The
practice

¹ Dionys. Hal. lib. iv. c. 16, 17, 18. Liv. lib. i. c. 43. Exercitus.

CHAP. I. practice of voting by Tribes was of a later date than either, and was the device of a popular party, to exclude the auspices, to level the condition of ranks, and by these means to turn the channels of power in their own favour. The people were formed into their Classes and Centuries, to elect their officers, to enact laws, or to deliberate on other affairs of state; but they did not without struggle or contest always acquiesce in this mode of assembly. The poorer citizens often insisted to be called in the Curia, and afterwards in the Tribes, to decide on affairs which the rich would have referred to the Centuries alone. The question on these occasions went to the foundation of the constitution, and implied a doubt whether the state should incline with the preponderance of numbers, or of property ¹.

To

¹ State of the Classes and Centuries at the establishment of the Census:

Class.	Roman.	Valuation.		N ^o of Cent.
		l.	s.	
1.	100,000	322	18	98
2.	75,000	242	3	21
3.	50,000	161	9	21
4.	25,000	80	14	21
5.	11,000	35	10	31
6.	—	—	—	1
Total,				193 From
First Class,				98 Sub.
Majority of the first Class,				95
				3

A property of 100,000 asses or pounds of copper entitled the owner to a place in the first Class, 75,000 to a place in the second, 50,000 to a place in the third, 25,000 to a place in the fourth, 11,000 to a place in the fifth, and the remainder of the people, having no valuation, or having less than that of the fifth Class, were thrown into the sixth or last Class. The whole were divided

To these original springs of the political frame CHAP.
I. may be joined those of religion, which in all governments must have a considerable force; and in this have always been supposed of signal effect in regulating its movements. Here indeed, there being no distinction of clergy and laity, the authority of augur, and priest, was often united with that of statesman or magistrate: and as, in the mind of every citizen, notwithstanding the high measure of his superstition, the sword of state was preferred to the altar, the politician and warrior, without adopting the interests of a priesthood, availed himself of the respect which was paid to religion, and made superstition itself subservient to the purposes of state. With presages and prodigies he encouraged or restrained the people in their desires and pursuits; he bound them with vows and with oaths, to a degree that has not been equalled by mankind in any other instance; in so much that, with reference to this circumstance in particular, it has been observed, that the seeds of Roman greatness were laid in the implicit devotion with which every citizen revered the sacred rites of his country ¹.

The wants by which the Romans were impelled in the first state of their settlement, made it necessary for them to vanquish their neighbours,

or

vided into 193 Centuries, of which the first Class contained 60 Centuries of foot, and 18 of horsemen, in all 98; being a majority of the whole. The sixth Class formed no more than one Century, as appears from the inspection of the preceding table.

¹ See Machiavel's Discourses on Livy.

CHAP. I. or to perish in the attempt. Fortitude, accordingly, in their estimation, was the principal quality of human nature, and the defeat of an enemy the chief of its fruits. Every leader who obtained a victory made his entry at Rome in procession; and in this gave rise to the triumph, which continued, from the first to the last age of the commonwealth, to be a principal object of ambition.

Historians, admiring the effect of this and of other practices of an early date among the Romans, have represented their founder, and his immediate successors, as philosophers, statesmen, and able tutors, who, with a perfect foresight of the consequences, suggested the maxims which gave so happy a turn to the minds of men in this infant republic. They are said to have taught, that by frugality and valour the Romans were to subdue the world: that they ought not to lay waste the lands which they conquered, but to possess them with colonies of their own people: that they ought not to slay the vanquished, but to cherish their captives, and transport them to Rome, as an accession to the number of their own citizens: that they ought not to make war when they had received any wrong, nor to commence hostilities until they had demanded and had been refused reparation of wrong they had suffered. In whatsoever degree we suppose these maxims to have been expressed or understood in the councils of Rome, it is certain that the general conduct of the state, in particulars to which the maxims relate, was sufficient

ficient to have suggested the idea that they were known, and adopted on a deliberate principle of government. CHAP. I.

To the other wise or fortunate customs which may be traced up to those early times of Rome, we may join that of the Census, by which the people, at every period of five years, took a regular account of the numbers and estates of their citizens, as the best measure they could have of their own progress or decline, and the surest test of their felicity and good conduct as a nation.

The Romans reckoned in the first period of their history a succession of seven kings¹, to each of whom they ascribed the invention of their several institutions. To Romulus, they ascribed the mixed form of their government, the establishment of the senate and assemblies of the people, the distinctions of Patrician and Plebeian, with the relations of Patron and Client. To Numa, the religion of the people, and their regard to oaths. To Servius Tullius, the Census, or periodical muster; and so on. But whether we suppose these institutions to have been the suggestion of particular occasions, or the invention of ingenious men, directed by a deep premeditation of all their effects, there is no doubt that such institutions existed at an early period, and served as the foundation of that policy which long continued to distinguish the Roman state.

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¹ Romulus, Numa, Tullus Hostilius, Ancus Martius, Tarquinius Priscus, Servius Tullius, Tarquinius Superbus.

CHAP.

I.

The monarchy of Rome is said to have lasted two hundred and forty-four years ; a period in which the numbers of the people, and the extent of their settlement, had greatly increased. During this period, they had drawn many of their neighbours to Rome, and sent many of their own people to occupy settlements abroad. By the enrolment of aliens, they procured a certain increase of people ; and by spreading their colonies around, they made acquisitions of territory, and extended the nursery of Roman citizens. We find, nevertheless, that, by the last part of this policy, they incurred a danger of losing the people whom they thus established or bred up in new settlements apart, however little removed from the metropolis. Men had not yet learned to consider themselves as the citizens of one place, and the inhabitants of another. In departing from Rome, the Colonists ceased to be enrolled in any tribe or ward of that city, or of its district ; or to be ranked in any class of the people. They ceased, of course, to be called upon to vote in any of the assemblies, and these they no longer attended. They cherished notions, by degrees, of an interest separate from that of their original country, so much, that the colonies which had been planted under the auspices of one prince, did not acknowledge the authority of his successors ; and conquests, where Roman citizens had been planted, in order to keep the natives in subjection, were sometimes in danger of being lost. The colony took a part in the dis-

tents

tents of the people they were sent to restrain, and became parties in their quarrel with Rome¹. But, CHAP.
I. notwithstanding frequent instances of this sort among the Roman colonies, the memory of their descent, and the ties of consanguinity, the pride of their distinction as Romans, the capacity in which every colonist stood of being reinstated in the rolls of the people at Rome, for the most part preserved their attachment to the mother country, and made them still a part of her strength, and a principal source of her greatness.

During this period of the kingly government, the numbers that were inrolled in the city and its territory increased from three thousand and two hundred to eighty thousand men of an age fit to carry arms². The number of Roman tribes or wards of the city was augmented from three to twenty-one. The kingdom itself extended over the greater part of Latium, and had an intimate alliance with the whole of it. The city of Rome was become the principal resort of all the Latin confederates, the place of their meetings for devotion or pleasure, and the seat of their political consultations³.

To accommodate and secure this populous and growing community, several of the heights contiguous to their original settlement were, during the same period, successively occupied, the marshes between them were drained by excavations and

VOL. I.

B

works

¹ Liv. lib. iii. c. 4.² Liv. lib. i. c. 44.³ Dionys. Hal. lib. iv. p. 250.

CHAP. I. works of great magnificence, of which a part is visible, and more may be supposed still entire. The city itself, instead of an earthen rampart, was surrounded with towers and battlements of hewn stone¹.

So

¹ The stones employed in building these original walls of Rome were said each to have been sufficient to load a cart.

The common sewers were executed at a great expence. It was proposed that they should be of sufficient dimensions to admit a waggon loaded with hay, (Plin. lib. xxxvi. c. 15.). When these common sewers came to be obstructed, or out of repair, under the republic, the Censors contracted to pay a thousand talents, or about L. 193,000, for clearing and repairing them, (Dionys. Hal. lib. iii. c. 67.). They were again inspected at the accession of Augustus Cæsar; and clearing their passages is mentioned among the great works of Agrippa. He is said to have turned the course of seven rivers into these subterraneous canals, to have made them navigable, and to have actually passed in barges under the streets and buildings of Rome. These works are still supposed to remain; but, as they exceed the power and resources of the present city to keep them in repair, they are concealed from the view, except at one or two places. They were, in the midst of the Roman greatness, and still are, reckoned among the wonders of the world, (Liv. lib. i. c. 38.); and yet they are said to have been works of the elder Tarquin, a prince whose territory did not extend, in any direction, above sixteen miles; and, on this supposition, they must have been made to accommodate a city that was calculated chiefly for the reception of cattle, herdsmen, and banditti. Rude nations sometimes execute works of great magnificence, as fortresses and temples, for the purposes of superstition or war; but seldom palaces, and still more seldom works of mere convenience and cleanliness, in which, for the most part, they are long defective. It is not unreasonable, therefore, to question the authority of tradition in respect to this singular monument of antiquity, which so greatly exceeds what many well accommodated cities of modern Europe have undertaken for their own convenience. And as those works are still entire, and may continue so for thousands of years, it may be suspected that they existed even prior to the settlement of Romulus, and may have been the remains of a more ancient city, on the ruins of which the followers of Romulus settled, as the Arabs now hut or encamp on the ruins of Palmyra and Balbeck. Livy owns, that the common sewers were not accommodated to the plan of Rome, as it was laid out in his time; they were carried in directions across the streets, and passed under buildings of the greatest antiquity. This derangement indeed he imputes to the hasty rebuilding of the city after its destruction by the

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So far it appears, that while every successive prince gratified his own ambition by subduing some neighbouring district or village, and brought an accession of riches or territory to his country, the genius of monarchy was favourable to the growth of this rising empire. But when princes became satiated with conquests abroad, or began to meditate schemes to increase their own importance at home, their ambition took a different direction, and led them to aim at making the kingdom hereditary, and the people more subservient to their own pleasure. Under this direction of the monarch's ambition, the state, as Montesquieu observes, was likely to become stationary, or even to decline. A revolution therefore became necessary, in order to prolong its progress.

Such an event, we are told, took its rise from U. C. 244. the resentments of the people, excited by abuses of power, and was hastened by a momentary indignation, roused by an insult offered by a son of the king to a Roman matron. As the political evils which this revolution was intended to remedy were, *the state of degradation and weakness to which the Senate had been reduced, the usurpation of hereditary succession to the crown, and the general abuses of government*, suitable remedies were sought for to these respective evils, by re-

B 2

floring

the Gauls; but haste, it is probable, would have determined the people to build on their old foundations, or at least not to change them so much as to cross the direction of former streets. When the only remaining accounts of an ancient monument are absurd or incredible, it follows, of course, that the real account of the times in which it was erected is not known.

CHAP. storing the numbers and power of the Senate, by
 I. abolishing the Royalty, and by erecting an elective
 and temporary magistracy.

The principal part of the new establishment consisted in substituting the Consuls, two annual magistrates, in place of the King. These officers were chosen in the assembly of the Centuries. The officer who was to preside at the election erected his standard, and pitched his tent in the field of Mars¹, a meadow which lay on the banks of the Tiber, above the city. The people repaired to this standard in arms, and, distinguished by the ensigns and armour of their different classes, proceeded to make their election.

That the city might not be surprised while its defenders were thus abroad in the fields, a guard was posted, with its colours displayed, on the Janiculum, a hill on the right of the Tiber, which overlooked the river and contiguous plains. If an enemy appeared during the election, the guard had orders to strike their ensign; and on this signal every Century repaired to its post of alarm, and questions of state were suspended until the danger was removed. As it became an article of superstition, that the Centuries could not proceed in any business without having an ensign displayed on the Janiculum, it was in the power of any person, by striking the ensign, to break up an assembly of the people: and this expedient for stopping the progress of any business was accordingly employed

¹ Campus Martius.

ployed by the opposite parties, at different times, to the end of the republic ^{1.} CHAP.
I.

It was meant that the Consuls should succeed to all the powers of the King; and in order to enforce their authority, a penalty of five oxen and two sheep was denounced against every person who refused to obey them². Their joint and divided command, with the limited duration of a year, which was to be their term in office, were thought sufficient securities against the abuse of their power.

The administration, by this revolution, devolved on the senate and nobles. The Plebeians, indeed, in the formation of their new constitution, were favoured by the admission of a certain number of their order to fill up the senate, which had been reduced by the tyranny of the late king; and the least considerable citizen was declared, in case of oppression or grievance, to have a right of appeal from any sentence or command of the magistrate to an assembly of the people at large. This was understood to be the great charter of the Roman people. But the Patricians alone could be chosen into the newly established offices of state. They alone were to furnish the ordinary succession of members to the senate, and, by their enrolment in the first and second classes, to have a decided majority in all the meetings or *comitia* of the Centuries³; that is, in all assemblies of the

B 3 people

¹ See Chap. xviii.

² Plutarch, in Vit. Publicolæ.

³ Dionys. Hal. lib. v.

CHAP. ^{I.} people that were called to elect officers of state, to enact laws, or to judge of appeals. By these several provisions in their favour, the Patricians were in possession of a complete aristocracy, which they claimed as hereditary in their families, but which, in the concourse of such active spirits so closely compressed, they were not likely to retain, without much discontent and animosity on the part of their subjects.

C H A P.

CHAP. II.

Form of the Republic.—Dissention of Parties.—First Dictator.—Secession of Plebeians.—Tribunes of the People.—Their objects.—Distribution of Corn.—Division of Lands.—Pretensions of the Plebeians.—Commission to compile Laws.—Decemvirs.—Twelve Tables.—Intermarriage of Ranks.—Claim of the Plebeians to the Consulate.—Military or Consular Tribunes.—Censors.—Ædiles.—Præfectus Annonæ.—Fortune of the Republic.—Reduction of Veii.—Destruction of Rome by the Gauls.—Rebuilding of the City.

THE government of Rome, as it is represented after the expulsion of the king, was become entirely aristocratical. The nobles had the exclusive possession of office, without any third party to hold the balance between themselves and the people. The Consuls were the sole executive magistrates, and the only ministers of the Senate; they were understood to come in place of the king; performed all the functions of royalty; and, in the manner of the kings, to whom they succeeded, united in their own persons all the dignities of the state, those of *Judge, Magistrate, and Military Leader*.

Such, at the first institution of the commonwealth, was, both in respect of government and manners, the simplicity or rudeness of this community. The people, however, in their new

CHAP.

II.

situation, by the accumulation of their affairs, by the contest of their parties, and by the wants of the public, were successively and speedily led, to a variety of establishments, in which they separated the departments of state, more equally distributed its powers, filled up the lists of office, and put themselves in a posture to wield with advantage their strength as it increased, and to avail themselves of every circumstance that occurred in their favour.

While the exiled king was endeavouring, by continual invasions, to recover his power, disputes arose between the parties who had joined to expel him¹; creditors, supported by the aristocracy, of which the nobles were now in full possession, became severe in exacting the payment of debts,

or

¹ In these original disputes between the Patricians and Plebeians at Rome, it is implied that they frequently or commonly stood in the relation of creditor and debtor, as well as of patron and client. And we may account for this circumstance in either of two ways: First, by supposing that the client was, in some degree, tributary to his patron, as the vassal was tributary to his lord in the original state of modern nations. Dionysius of Halycarnassus has laid some foundation for this supposition, in the passage above cited. Or we may suppose, in the second place, that the debts in question were money or effects actually borrowed by the client and lent by the patron. The first supposition is most agreeable to the manners of modern times; but the last is more likely to have been the fact in the original state of the Romans, and of ancient republics in general. Among them the great distinction of person, was that between freemen and slaves. The rich freeman was supplied with every thing he wanted by the labour of his slaves. The necessitous freeman toiled with his own hands in labouring a small piece of ground, or in tending a few beasts. He had no trade or handicraft by which to supply the luxuries of the rich, or by which, as in modern times, to make them his debtors. When he wanted their aid he was obliged to borrow; and there was, perhaps, but one occasion on which he had credit for this purpose; when he was going

or in the quality of patrons laid claim to more than the clients were willing to pay¹. The state was distracted at once by its enemies from abroad, and by the dissention of parties at home. The authority of the new government not being sufficient to contend with these difficulties, the senate resolved to place themselves and the commonwealth, for a limited time, under the power of a single person, who, with the title of Dictator, or Master of the People², should at his pleasure dispose of the state, and of all its resources.

CHAP.

II.

U. C. 452
or 455 *

This officer was invested with power to punish the disorderly without trial and without appeal; to arm the people, and to employ their forces on any service; to name his own substitute, or second in command; and to act without being, even at the expiration of his office, accountable either to the Senate or to the people. The circumstances that

going to war, and when he both had a reasonable excuse for borrowing, and a probable prospect of being able to pay, perhaps with interest, from the spoils of an enemy. But when his hopes failed, he might become insolvent, and exposed to all the severities of which we read such complaints in the early part of the Roman History.

There is, throughout this History, sufficient evidence that the popular party were on the side of the debtor. The prejudices of this party operated against the exaction of payment. Their influence was employed in reducing the interest of money; in having it abolished, and in having it detested, under the invidious appellation of usury. They even strove, on occasion, to abolish debts: But the result was far from being favourable to the necessitous borrower; he was obliged to pay for the risk, the penalties, and the obloquy to which the lender was exposed in transgressing the laws.

¹ Dionys. Hal. lib. 5.² Magister Populi.

* The date of the nomination of the first Dictator is uncertain. Liv. lib. ii. Some place it nine years after the expulsion of the Kings; Dionys. 12 years.

CHAP.

II.

that were probably accidental in the first nomination of this extraordinary officer, were afterwards repeated as unalterable forms in every successive appointment of the same kind. It became the prerogative of the senate to resolve that a Dictator should be named, and of the Consul to name him. The ceremony was performed in the dead of night¹; and as soon as the nomination was known, the Lictors, or ministers of justice, armed with their axes and rods, withdrew from the ordinary magistrate, to attend this temporary lord of the commonwealth.

This was the first political expedient to which the state was directed by the exigency of its new government. The precedent came to be repeatedly followed in times of calamity or public alarm, and the whole powers of the state were occasionally entrusted to single men, on the sole security of their personal characters, or on that of the short duration of their trust, which was limited to six months. This institution was devised by the senate, to repress the disorders which broke out among the people, and to unite the forces of the commonwealth against its enemies. The next was of a different nature, and was meant to protect the Plebeians against the oppression of their lords.

The inferior class of the people, almost excluded from any share in the new government, soon found

¹ Liv. lib. viii. c. 20. & lib. ix. c. 28.

found that under its influence they had more oppression to dread from their Patrons, than they had ever experienced from the prince they had banished. So long as the king and the senate shared in the powers of the state, the one took part with the people, when the other attempted to oppress them ; and it was the ordinary interest and policy of the prince to weaken the nobles, by supporting the Plebeians against them. This effect of the monarchy still, in some measure, remained, so long as the exiled king was alive, maintained his pretensions, and made the united services of the people necessary to the senate. During this period the Patricians were still on their guard, and were cautious not to offend the people ; but upon the death of the king, and in consequence of the security which the new government derived from this event, the nobles availed themselves of their power, and enforced their claims on the people with extreme severity. In the capacity of creditors, they imprisoned, whipped, and enslaved those who were indebted to them, and held the liberties and the lives of their fellow-citizens at their mercy. The whole body of Plebeians was alarmed ; they saw more formidable enemies in the persons of their own nobility, than in the armies of any nation whatever. When the republic was attacked, they accordingly refused to arm in its defence. Many who had already suffered under the rod of their creditors, when

CHAP. when called upon to enlist, shewed their limbs
 II } galled with fetters, or torn with the stripes which
 they had received by command of their merciless
 patrons.

These distractions, joined to the actual presence of a foreign enemy, obliged the senate to have recourse to their lately adopted expedient, of committing themselves and the state into the hands of a Dictator. And repeating this measure as often as occasion required, the people, though refractory, were awed by the aspect of so formidable a power : but in one instance, in order to mix insinuation with the terrors of such a magistracy, they made choice of Valerius, a person whose name was already known to the Plebeians by some popular laws which they owed to his family. This officer had credit enough with the people to prevail on them to take arms, and had the good fortune to repel an enemy by whom the state was invaded : But upon his return from the war, not being able to prevail on the senate to fulfil the hopes which he had given to the people, he made a speech to exculpate himself, and laid down his power. The citizens who had fought under his banner being still in the field, and, without any orders to disband, suspecting that the senate, under pretence of some war on the frontier, meant to remove them from the city, ran to their arms ; and if they had not been restrained by their military oath, and the respect which they paid to the government of their country, must have entered

tered the gates by force. But, under the impression of these motives, they fled from the walls instead of invading them, retired beyond the Anio, and took possession of a little eminence on its bank, about three miles from Rome¹, afterwards known by the name of the Sacred Hill. Their officers followed, and endeavoured to persuade them to return to their duty; but were told, that no duty was owing to a government which had withdrawn its protection, and encouraged oppression; that free citizens own no country in which they are not permitted to enjoy their freedom. "To what purpose," said Sicinius Bellutus, who was then at the head of this mutiny, "recall us to a city from which you have already forced us to fly by your extortion? By what new assurance can you persuade us to rely on a faith which you have repeatedly broken? By what charm can you engage us in support of a commonwealth, of which you will not allow us to be members? You mean to engross all the fruits which are to be reaped in your country, and it is well. We shall leave you to do so, and do not mean to interrupt your enjoyments."

This secession of a great body of the people having continued for several months, and in this time received a constant accession of numbers from the city and from the contiguous fields; threw the republic into the greatest disorder; exposed

¹ Cicero de Claris Oratoribus, c. 14. the Mons Sacer.

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II.

posed its lands to be neglected or pillaged by its own inhabitants, and ravaged by numerous enemies, who took this opportunity to invade it without opposition.

The Patricians had sufficient force in their own body, and in that of their faithful retainers, to guard the avenues of the city, and to secure it from surprise. But being reduced to great difficulties for want of their usual supplies of subsistence, and apprehending still greater from the interruption of labour and the suspension of government, they came to a resolution to negotiate with the leaders of the mutiny, and, for this purpose, raised Sp. Cassius, a person who, though of a patrician family, was in high favour with the people, to the office of consul. They agreed to mitigate the severities which they had hitherto practised against insolvent debtors, and to release such of them as were actually in bonds, or had been destined to slavery.

With these concessions, a deputation was sent to the camp, and a negotiation was opened, in which the Plebeians obtained, not only a full acknowledgment of their privileges; but, what was of more consequence, a power of forming themselves into assemblies apart from the nobles¹, and of electing annual magistrates, or representatives of their own order, to guard and watch over their separate rights. “Your Consuls,” they said, “are not so much the officers of the commonwealth
“ as

¹ Dionys. Hal. lib. vii.

“ as the heads of a faction ; and, in all questions
 “ that relate to the people, are parties rather than
 “ judges. It is reasonable that we too have a
 “ head or representation in the commonwealth,
 “ under which we may act, at least, in our own
 “ defence.”

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 II.

In return to this well-advised and specious requisition, the tribunitian power was established, and with it were laid the foundations of some good, and of much harm, to the commonwealth. Great part of the last might have been prevented, if the Plebeians, now in possession of a right to nominate delegates to act in behalf of their interests, had from thenceforward been content with the power of election merely, had discontinued their own collective assemblies for any other purpose, and increased the number of their Tribunes to a just representation of their whole body. The return, however, was more agreeable to the spirit of the times. The people were far from renouncing their right of assembling in a collective body ; and, instead of a representation to support and preserve their order with steadiness and with moderation, they proceeded to elect a few leaders, who, from thenceforward, were to head every popular tumult, and to raise every wind of contention into a storm.

The Tribunes were authorised, at their first institution, to forbid, or to restrain, any measures which they thought hazardous, or injurious to the rights of their constituents, but not to propose any
 law,

CHAP. II. law, nor to move any positive resolution. They were not entitled to exercise their powers beyond the walls of Rome, or to absent themselves from the city for the whole of a single day, except in their attendance on the festival of the Latin allies, where the presence of all the Roman magistrates, without exception, was required. Though their power was merely restrictive, in this capacity it had no bounds. A single Tribune might stop the proceedings of his own body, or even of the whole people assembled, as well as the proceedings of the senate and patrician magistrates. In the exercise of this last part of their trust, though not permitted in this age of aristocracy to mix with the senators, they had places assigned them at the doors of the senate-house, from which, as from a watch-tower, they were to observe, and on occasion to stop, the proceedings of their lords.

As the Tribunes were thus destined to withstand the exertions of power, and were supposed, on the most dangerous occasions, to expose themselves to the axe and the sword of their adversaries, it was thought necessary to guard their persons with the most sacred fences of religion and law. For this purpose an inviolable rule was prescribed in the following terms: "Let no one offer violence to the person of a Tribune; neither kill him, nor procure him to be killed; neither strike him, nor procure him to be struck. Let the person who offends against this law be accursed; let his effects be held sacred to pious uses,

“uses, and let every one pursue him to death.” CHAP.

To render this act irrevocable, a solemn oath II.
 for the perpetual observance of it was imposed, and dreadful imprecations were denounced against any person who should propose to repeal so sacred a law¹; and such was the effect of these precautions, taken for the safety of the Tribunes, that, in times of the republic, persons obnoxious to public justice could not be punished, while they continued to bear this inviolable character. And the Emperors themselves, after they had removed all the other props of the republic, found, under this sacred title of Tribune, a refuge to their own crimes and oppressions, or a protection from the designs of assassins, or the resentment of those they had offended by their tyranny.

The College of Tribunes, at its institution, was not limited to any precise number of members; it consisted at first of such persons as had been most active in procuring its establishment, and continued to be filled with the most zealous partisans of the commons, the number being three or more, according as persons appeared in the way to this honour. But in process of time both the Plebeians who aspired to this distinction, and the Patricians who were jealous of it, conspired to augment the number. — The first, in order to make way for their own preferment; and the second, to the end that they might be the better enabled, on occasion, to weaken their enemies, by disuniting them,

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and

¹ Dionys. Halicar. lib. iv. p. 419

CHAP. II. and procuring the negative of a part, to suspend the proceedings of the whole. This sacred College was accordingly augmented by degrees to ten; and a law was made to provide that the elections should not stop short of this number¹.

Patricians could neither elect nor be elected into this office², although in the midst of irregularities incident to all unformed, especially to all popular governments, some exceptions are mentioned, even to the last part of this rule. The Tribunes were at first appointed in the *Curiae*, a mode of assembly in which the vote of the poorest citizen was equal to that of the most wealthy: but in which the Patricians, not only by their influence, but by holding the auspices, were supposed to have an undue advantage; and therefore, in proceeding to this election, it was thought necessary to change the assembly of the *Curiae* into that of the Tribes, unawed by authority, and unrestrained by auspices, which the Patrician Augurs pronounced³.

Such was the institution of the Plebeian magistracy, while the state yet knew of no other officer besides the Consuls and the *Quæstors*, of whom the last, even under the kings, had been employed as a species of commissaries, or providers for the army. The expedient was adopted by the senate, to quiet the animosity of parties; but tended, in fact, only to render the contest between them more equal, and to multiply the subjects of dispute. The

Tribunes

¹ Lex Trebonia. Liv. lib. iii. c. 65.

² Dionys. Hal. lib. vii.

³ Dionys. Hal. lib. ix. p. 65.

Tribunes being vested with power to assemble the people, could not long be confined to the mere negative with which they were at first entrusted ; nor was it easy, on every occasion, to distinguish the measures of attack from those of defence ; and the party of the Plebeians, with these officers at their head, were then in a posture, not only to preserve their own rights, but likewise to gain to their order continual accessions of privilege and power. Happily for the state, there was yet much ground of this sort to be gained for the people, without transgressing the bounds of good order, or encroaching on the authority of equitable government.

The popular leaders in this career had to break through the bar of hereditary distinction, which, contrary to the genius of republic, it was pretended, no personal merit and no measure of ability could remove. One of the first steps they made in pursuit of this object, was to preclude every other power in the state from a negative on their own proceedings. For this purpose it was enacted, by the authority of the Tribes, that no one, under pain of death, or of an arbitrary fine, should interrupt a Tribune while he was speaking to the people¹. Being thus provided against interruption, as they were by a former law against violence to their persons, they not only took up the complaints of their constituents, they suggested new claims to be made by them, and, at every

¹ Dionys. Hal. lib. vii.

CHAP. II. succession to office, endeavoured to signalize their term by some additional establishment for the benefit of the commons: They even interrupted the state in its councils and military operations, and almost in every instance hung upon the wheels of government, until the grievances they complained of were redressed, or the demands they made were complied with.

U. C. 260. In order to increase the number of Plebeian officers, whose aid the Tribunes alleged was necessary to themselves, they, soon after their own institution, procured that of the Ædiles, who were to inspect the markets, and have charge of the public buildings and public shows. Being subordinate to the Tribunes, as well as to the Consuls, these officers acted, upon occasion, in what related to the policy of the town, as assistants to both¹.

As Rome was a place of arms, and subsisted in some measure by public magazines; as settlements won from the enemy were often to be disposed of to citizens; as its institutions were yet new and incomplete; and as the Patricians still claimed an exclusive right to all the dignities of state, there was much to occupy the cares of the Public—the distribution of corn from the granaries, the division of conquered lands, the defects of the laws, and the yet arbitrary proceedings of the magistrates.

The qualification of candidates for the office of Consul furnished, during some ages, the subject of continual debates, and frequently exposed the parties

¹ Dionys. Hal. lib. vi.

ties concerned in them, if they escaped the sword of an enemy from abroad, to perish by their own dissensions at home. Their civil and military transactions were constantly blended together. The senate frequently involved the state in war, in order to suspend its intestine divisions; and the people as often took occasion, from the difficulties in which the community was involved by its enemies, to extort a compliance with their own demands.

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II.

The first subject of contention that arose after the institution of the Tribunes was a sequel of the troubles which had preceded this famous establishment. The secession of the people took place in autumn, the usual seed-time in Italy; and the labours of that season having been accordingly interrupted, the city was threatened with famine; and the senate exerted all its industry in guarding against this evil¹. After the public granaries were filled for this purpose, it became a question, upon what terms, and at what price, the poorer citizens should be supplied from thence. Their pretended insolence in the late mutiny, and the part which they themselves, by suspending the labours of the field, had taken, in bringing on the distress with which they were menaced, were in this deliberation fully stated against them. The opportunity was thought to be fair, to recal the several concessions which had been extorted from the senate, and, in particular, to oblige the people to part with their Tribunes, and to return within the former bounds of their duty.

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Such

¹ Dionys. Hal. lib. vii.

CHAP.

II.

Such was the substance of a contumelious speech, delivered in the senate by the celebrated Caius Marcius Coriolanus. The younger nobility applauded his sentiments, but the greater part of the senate, having recently escaped from a popular storm, were unwilling to engage themselves anew in the same dangerous situation. In order, therefore, to appease the people, who were greatly incensed at the proposal which had been made to subdue them by famine, the senate agreed to deliver corn from the public granaries, at a price below that of the most plentiful season. And, by this proceeding, for the present pacified the Tribunes, but at the same time fostered their presumption, and encouraged them to meditate still further demands. The distress with which their constituents had been threatened was prevented, but the insult they had received from Caius Marcius was not avenged; and they cited him to appear before the tribunal of the People, to answer for his conduct, and submit to the party he had offended. The Senate and Patricians were disposed to protect him; but, trusting that by the majority of their votes they might be able to acquit him in the *comitia* of the Centuries, the only assembly before which, from the time of its first institution, any capital charge had been hitherto laid against a citizen, they suffered the trial to proceed. In this, however, they were disappointed. The Tribunes insisted, that in this trial the people should assemble in their Tribes; and having prevailed in this previous

vious question, the accused, as being already con- CHAP. II.
demned by this determination relating to the form
of his trial, withdrew from his sentence¹.

Coriolanus, in resentment of this prosecution, U. C. 262.
which forced him into exile, joined the enemies
of his country, and by increasing the alarm of
war from abroad, helped to suspend for a while the
animosities of which he himself had furnished the
occasion at home. The contest in which the par-
ties had been engaged by his means ended in
his own exile, and was not attended with any
other political effect; but it merits a place in
these observations, as a proof of the great in-
fluence which the Plebeian party, under its new
leaders, had acquired, and as an evidence of the
singular state of the Roman policy, by which, in
the uncertain choice of different modes of assem-
bly, for the exercise of sovereign power, the very
form of the government itself was left undetermin-
ed, until the occasion occurred on which it was to
act.

The assembly of the Centuries formed an aristo-
cracy, that of the tribes a democracy. They did
not partake in the sovereignty by any determinate
rule, but each of them occasionally seized upon
the whole; and, instead of balancing each other
by regular checks and interruptions, threatened
to render the administration of the Republic a
continual scene of contradictions and inconsisten-
cies. Such at least is the judgment which we are
tempted, in speculation, to pass on this singular
constitution,

C 4

¹ Dionys. Hal. lib. i. p. 469.

CHAP. constitution, although, in the sequel of its history,
 II. it will appear to possess, at least, one of the highest political advantages, in being the most excellent nursery of statesmen and warriors, and in furnishing the most conspicuous examples of national ability and success.

The calm which the approach of Coriolanus, at the head of an army of Volsci, produced within the city, was of no longer duration than the alarm which produced it. As soon as the external enemy withdrew, the parties within resumed their disputes; but on a subject which was still more important than that which had recently employed them; and which, continuing to be moved at intervals, served to the last hour of the Republic as an object of popular zeal, or furnished a specious pretence, which ambitious and designing men continually employed, to captivate the ears of the poor. This was the most popular of all propositions—an equal division of land property, known by the name of the Agrarian Law.

While the Romans were making their first acquisitions of territory, their conquests were understood to be made for the people, and were accordingly divided among them, or given to those who had not a sufficient provision for the subsistence of their families¹. But of late, during a considerable period, while the Republic barely withstood the attacks of the exiled king, or recovered the losses sustained in its wars with the numerous enemies that

¹ Dionys. Hal. lib. ii.

that supported him, she had either made few ac- CHAP.
II.
quisitions of this sort, or, suitably to the growing disparity of ranks, which, though not necessary in very small republics, becomes so in proportion as nations extend, suffered the conquered lands to pass by connivance, occupancy, or purchase, into the hands of powerful citizens, who made use of these opportunities to appropriate estates to themselves.

The Tribunes of the people had not yet begun U. C. 267.
to make their complaints on this subject, when they were anticipated by the Consul Sp. Cassius, who, being already in high favour with the popular party, continued to flatter the passions of the inferior class, and is said to have aimed at an improper and dangerous influence in the state. He affected great zeal for the rights of the poorer citizens, and proportional indignation against those who engrossed all the means of their support. He complained, in particular, of the improper use which had been recently made of the conquered lands, by suffering them to become the property of persons who were already too rich. Having himself made some conquests, he showed how the lands of the Republic ought to have been disposed of, by making an equal division of his own acquisitions among those who were necessitous or ill supplied, in their lots¹. He obtained an act of the people to appoint three commissioners to inquire into the abuses which had been committed in the disposal of lands acquired from the enemy, and to consider of the proper corrections.

The

¹ Liv. lib. ii. c. 41.

CHAP.

II.

The senate, and the Patricians in general, were greatly alarmed ; most of them had possessions that seemed to fall within the object of this inquiry. The popular party alleged, that conquered lands being acquired by the joint labours, and at the common hazard, of all the citizens, should be equally divided among them. The Patricians contended, that these levelling principles led to confusion and anarchy ; that, in a state of which all the territory was actually, and within a few centuries, acquired by conquest, these maxims could not be applied without affecting the subordination of ranks and the subversion of government, as well as of property.

In this contest Cassius appeared to have the advantage of numbers on his side ; and if he had confined his views to the division of lands, under which he was said to disguise a more dangerous intention, the senate and nobles must at least have agreed to find settlements for considerable numbers of the people, in order to elude his more general demands. But while Cassius alarmed the rich with danger to their property, he at the same time alarmed every citizen with danger to his personal-consequence, by offering the freedom of the city to aliens, who, at his summons, were crowding from all the cantons of Latium to vote in the assemblies at Rome. His colleague opposed this measure, and the city, for the present, was saved from the intrusion of strangers. But the attempt to receive them gave offence to the people, as well as to the senate ;

and

and the unhappy author of it, in order to regain the favour of his party, proposed a resolution, not only to make a gratuitous distribution of corn, but even to refund what had been formerly paid by any citizen at the public granaries. This proposal too was interpreted to his prejudice, and raised a suspicion that he meant, with the aid of aliens and of indigent citizens, to usurp the government. On this supposition different parties in the state, and even the Tribunes themselves, combined against him, and he was condemned to suffer the punishment of treason.

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II.

This appears to have been the first project after the state began to have its demesne lands, and after private estates began to be accumulated, that was made to divide all territorial acquisitions in equal shares among the people. And though the author of it perished in the attempt, the project itself was entailed on the commonwealth, as a subject of dissention, and became the source of repeated demands on the part of the indigent citizens.

The Tribunes had no sooner accomplished the ruin of Cassius, in which they concurred with the senate, than they insisted for the execution of the law he had framed, and for the nomination of three commissioners already resolved on, for the division of conquered lands. They protected the people in refusing to serve the state in its wars, until this demand should be granted. And having absolute and irresistible power to stop all proceedings in the city, they prevented all military levies within the walls,

CHAP. walls, obliged the Consuls, during a certain period,
 II. to erect their standard in the country, and there to force the herdsman and labourer to enlist, by driving away the cattle, and distraining the effects of those who were unwilling to obey them¹.

In these exertions of their political strength, the parties at Rome learned by degrees to form their different plans, whether of administration or of opposition.

The senate endeavoured to furnish the people with employment abroad, to amuse them with triumphal processions, to gratify them with partial settlements and allotments of land; and, in order to stop the violence of the popular leaders, they continually endeavoured, by the negative of some one of their own order, to divide the College of Tribunes.

These leaders of the people, in their turn, endeavoured, by oaths and private engagements, to secure the unanimity of their own body, or to bind the minority to follow the decision of the greater number. They taught the people to despise the partial settlements, which, to pacify or to suspend their importunities, were offered to them at a distance from Rome. They taught them to aim at a higher object, the political consequence of their own order, and an equal share in the government of their country. Turbulent citizens were honoured in proportion to the part which they took in support of this popular cause; and were successively raised

¹ Dionys. Hal. lib. viii. Ibid. No. 273. and No. 278.

raised to the office of Tribune, in reward of the animosity they had occasionally shewn to the senate, and of the courage with which they had, in any case, withstood the authority of the magistrate, which it was now become a merit to brave. CHAP.
II.

At every succession, accordingly, the new Tribunes endeavoured to signalize their term in office, by suggesting some advantage to the Plebeians; and, in the course of their struggles, obtained many regulations favourable to their interest as a separate order in the State.

Among these we may reckon a law of uncertain date, to perpetuate in the Assembly of the Tribes, to the exclusion of the Curiae, the right of electing the Tribunes¹.

Another, to exclude the Patricians entirely from the Assembly of the Tribes².

The Agrarian Law itself they frequently moved, in the interval of other claims and pretensions, or subjoined to such claims, in order to alarm the Patricians, and to force them, under apprehension of this principal object of their fears, to a compromise, or to a compliance with some other demand.

To the other circumstances, which never failed to rekindle the political flames, may be joined the complaints which arose from arbitrary proceedings of the magistrate, and from the defect of judicial forms in the commonwealth. The Consuls had succeeded to the Kings, as sole Officers of State, both civil and military; and had not sufficient rules

¹ Dionys. Hal. lib. ix. Liv. lib. ii. c. 56.

² Liv. lib. ii. c. 62.

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II.

rules or limitations prescribed to them in the exercise of their power¹. This defect, which is common in the administration of rude governments, is for the most part supplied by degrees. Evils are corrected in proportion as they are felt, and the rational proceedings of one age are adopted as precedents to regulate the next. But, in the present instance, at Rome, the popular party, it is said, demanded at once a system of jurisprudence and a complete body of laws. Being opposed by the Patricians, they came to consider the measure as an object of party; and they pressed the acceptance of it, as much from animosity to the magistrate, as from a desire to secure public justice, or to regulate the forms of judicial procedure. The Patricians considered the project as an attack on their power; and, however innocent or reasonable it may have been, endeavoured to prevent the execution of it by all the arts of evasion and delay, which they had employed to elude the division of conquered lands, or to frustrate any other the most factious purpose of their adversaries.

In this contest the powers and artifices of both parties were fully exerted. To the great authority and address of the nobles, the people opposed an ardour that was not to be cooled by delays, to be discouraged by partial defeats, or restrained by scruples of morality in the choice of means for the attainment of their end. From experience in this, as in many other instances, may be learnt, that whatever

¹ Liv. lib. iii. c. 9. Dionys. Halicar. lib. x.

ever limits, the few who rest their cause on personal consideration and respect, may prescribe to themselves; the more popular faction opposed to them are too apt to think, that the rules of veracity and candour may be dispensed with, and that the means of deceit and violence may, even with applause, be employed in their own favour. With less honour and dignity to maintain than their adversaries, they are less afraid of imputations that detract from either; and their leaders, supported by the voice of the more numerous party, are less apprehensive of evil fame. In this contest, accordingly, fictitious plots and conspiracies were fabricated on the popular side, and fictitious designs against the liberties of the people were imputed to the Patricians, in order to render them odious, and to deter them from appearing in support of their real pretensions¹.

In the issue of these disputes, the senate, despairing of being able to divert the people from their purpose, agreed to the nomination of three commissioners, who should be sent into Greece to make a collection of such laws as, being found salutary in that country, might be transferred to Rome. Soon after the return of the commissioners, the Senate approved their report, and concurred in the nomination of the famous Decemvirs to compile a body of laws for the commonwealth.

The Decemvirs were appointed merely to make U. C. 302.
the draught of a new code, and to propose matter
for

¹ Dionys. Hal. lib. x.

CHAP. for the consideration of the Senate and People,
 II. from whom alone the propositions could receive the authority of laws ; yet the persons named for this purpose, as the History bears, had credit enough with the people to be vested with a temporary sovereignty, in which they superseded the authority of the Senate, as well as that of the Consuls, and had unlimited power over the lives and fortunes of their fellow-citizens¹. Before their commission expired, they presented a number of laws, engraven on ten tables or plates, and containing a summary of the privileges to be enjoyed by the People, of the crimes to be punished by the Magistrate, and of the forms to be observed in all judicial proceedings. They, at the same time, informed the people, that their plan was still incomplete, that many useful additions were yet to be made ; and upon the faith of these declarations, obtained for another year the renewal of their powers, with a change of some of the persons merely who were named in the commission.

In this second year of the Decemvirs appointment, two more tables or plates were added to the former ten ; a circumstance from which this part of the Roman law has derived its name. This supplement, as well as the former body of laws, was received with great avidity, and the twelve tables continued to be respected at Rome, as the ancient titles by which men are supposed to hold any

¹ Dionys. Hal. No. 303.

any valuable rights are revered in all nations¹. C H A P,
II.
No complete copy of them being transmitted to modern times, we cannot fully judge of their merit; but, from the fragments remaining in authors who occasionally cite them², this code appears, in some clauses, to have been a first draught of the regulations which are necessary in the establishment of property, and in making private parties answerable to public judicatures in all their disputes.—The property of land was established by prescription, if fair and unquestioned for two years, and that of other effects by a similar prescription of one year.—Any controversy concerning the boundaries of land-property was to be determined by arbiters or jurymen appointed by the magistrate.—Parties cited to a court of justice were not at liberty to decline attendance.—Judgment in capital cases was competent only to the Assembly of the People in their Centuries; but this supreme Tribunal might delegate its powers by a special commission.

In considering this Code as a record of ancient manners, the following particulars are worthy of notice:

The distinction of Patrician and Plebeian was so great, that persons of these different orders were not permitted to intermarry.

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¹ Livy calls the Twelve Tables *Fons omnis publici privatique juris*. Tacitus calls them *Finis equi juris*. And Crassus, in the Dialogue of Cic. de Orat. is made to say, *Bibliothecas omnium philosophorum, unus mihi videtur tabularum libellus superare*. De Orat. lib. i. c. 44.

² Vid Gravini de Origine Juris Civilis. Pighii. Anal.

CHAP.

II.

The father being considered as the absolute master of his child, had a right even to kill, or expose him to sale¹.

The interest of money was limited to one *per cent.*²; and while a thief was condemned to refund only

¹ The clause in the Twelve Tables relating to the father's power of sale, contains a singular limitation. *Vendendi filium patri potestas esto. Si pater filium ter venundavit, filius a patre liber esto.* The father may sell his child, but if he has sold him three times, the child shall be free, (Dionys. lib. ii. c. 27. p. 97. This law, in its first appearance, carries an implication that, until this restriction was applied, fathers practised selling their children times without limit. No law, it may be said, is made against crimes altogether unknown; and, in general, what people do, may be inferred from what they are forbid to do; and yet the clause, considered in this light, is full of absurdity. The child, to be repeatedly sold, must have repeatedly disengaged himself from slavery. After being twice sold he must have put himself a third time in the father's power; and to render such cases the object of law in any age or country whatever, the great law of parental affection must have been strangely suspended. The question therefore may be submitted to Civilians and Antiquaries, whether it be not easier to suppose a mistake in the tradition or in the record, or an unnecessary precaution in the compilers of this Code, than such a frequency of the circumstances presumed in this clause, as would make the offence a proper object of legislation in any age or nation whatever; and whether this law may not have been, in its original intention, what it became in the subsequent applications of it, a mere precaution in favour of the parent, that he should not be deprived of his child by surprise, and that unless he had performed the ceremony of vendition three times, he was not supposed to have sold him at all. The form by which a Roman father emancipated his son, consisted of a sale three times repeated. The father sold him and received his price. The buyer once and again re-delivered the child, and had his price returned. After the third purchase the buyer manumitted him by a singular ceremony prescribed in the laws.

² Nam primo duodecim tabulis sancitum, ne quis unciario ($\frac{1}{12}$ per mon. or 1 per cent. per ann.), scenore amplius exerceret, cum antea ex libidine locupletium agigaretur; dein rogatione tribunitia ad semuncias redacta; postremo vetitæ usuræ; multisque plebiscitis obviam itum fraudibus, quæ toties repressæ miras per artes rursus oriebantur. Tacit. An. lib. vi.

Montesquieu ventures to reject the authority of Tacitus in this instance, and supposes that the law which he ascribes to the Decemvirs had no exist-

only the double of what he had stolen, the usurer was condemned to pay fourfold what he had taken for interest of money. But bankruptcy was treated as a crime, and without any distinction of fraud or misfortune, exposed the insolvent debtor to the mercy of his creditors, who might put him to death, dissect or quarter him, and distribute his members among them¹. CHAP.
II.

Mixed with regulations of so extraordinary a cast, there wanted not proofs of reason and wisdom. Piety to the gods was held forth as a pledge of innocence and purity of manners²: Arbitrary

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rites,

ence until the year U. C. 398; when, according to Livy, lib. vi. it was obtained by the Tribunes M. Duellius and L. Menenius, in favour of the people. *Haud æque patribus læta, insequente anno C. Martio & Cn. Manlio Coss. de unciarjo fœnore a M. Duellio, L. Menenio tribunis plebïs, rogatio perlata.* It is indeed probable that many antiquated laws were referred to this legendary Code of the Twelve Tables on no better authority than that of their antiquity. And so great a reduction of interest was more likely to come from Tribunes acting in favour of the people, who were generally the debtors, and who soon after procured the entire abolition of the interest of money, than from the Decemvirs, who, being of the aristocratical faction, took part with the creditors.

¹ The clause in this Code respecting insolvent debtors, is equally strange with that which respects the power of the father, and shews no less upon what atrocious ideas of what they were to permit, as well as of what they were to prohibit, the compilers of this Code proceeded. Their ideas in either, it is probable, were never realized. Livy says, that debtors were *nevi & traditi creditoribus*, (Liv. lib. ii. c. 23 & 27.). But it is affirmed with great probability of truth, that no creditor ever took the full benefit of this law against his insolvent debtor, (Aul. Gell. lib. 20. c. 1.). Laws that result from custom, and are suggested by real occasions, are genuine proofs of the reigning manners; but laws enacted by special lawgivers, or commissioners, only indicate what occurs to the fancy of the compiler, and what are the prohibitions he is pleased to suppose may be necessary.

² Ad Deos adeunto castè. Pietatem adhibento.

CHAP. rites, indeed, or strange objects of worship, were
 II. not to be tolerated¹.

The people were required to build their houses two feet asunder, to leave eight feet for the ordinary breadth of streets and highways, and double this breadth at the turnings.

They were forbid to dress or to polish the wood which was to be consumed in funeral piles, or to express their sorrow for the dead, by wounding their flesh, tearing their hair, by lamentable cries, or any indecent gestures of grief.

Such are a few of the more singular and characteristic clauses which are mentioned among the fragments of the Twelve Tables. The ardour of the people to obtain this Code, and the unlimited powers which they intrusted to the commissioners appointed to frame it, had nearly cost them their liberty; and in this manner put a stop to the progress of their commonwealth. The Two additional Tables, as well as the first Ten, having been posted up for public inspection, and having been formally enacted by the Senate and People, the object of the Decemvirs commission was obtained, and it was expected that they were to abdicate their power; but the principal persons vested with this trust, having procured it with a view to usurp the government; or being corrupted by two years uncontrouled

¹ Cicer. de Legibus, lib. 2. c. 8. In many parts of this performance, Cicero is supposed to restore and to comment on the Laws of XII Tables; and on this subject in particular Attitius is made to observe, that the supposed constitution does not much differ from what were reputed the laws of Numa, and the early practice of Rome.

uncontrouled dominion in the possession of it, refused to withdraw from their station, and boldly ventured to persist in the exercise of their power after the time for which it was given had elapsed.

At Rome, the functions of the magistrate were supposed to determine by his own resignation, and the republic might suffer a peculiar inconveniency from the obstinacy of particular persons, who continued to retain the powers of office after the period assigned them by law was expired. The Decemvirs took advantage of this defect in the constitution, continued to hold their commission beyond the period for which it was given, took measures to prevent the restoration of the Senate and the Assemblies of the people, or the election of ordinary magistrates, and, even without employing much artifice, got the people to acquiesce in their usurpation, as an evil which could not be remedied. And the usurpers, in this as in other instances, seemed to meet with a submission that was proportioned to the confidence with which they assumed their power. The public wrongs, which no one was peculiarly called upon to redress, appeared to make little impression; but a barbarous insult offered to a private family rekindled or gave occasion to the breaking out of a flame, which injuries of a more dangerous nature only seemed to have smothered.

Appius Claudius, one of the usurpers, being captivated with the beauty of Virginia, the daughter of a respectable citizen, and already betrothed to

CHAP.
II.

a person of her own condition, endeavoured to make himself master of her person, by depriving her at once of her parentage and of her liberty. For this purpose, under pretence that she was born in servitude, and that she had been stolen away in her infancy, he suborned a person to claim her as his slave. The Decemvir himself being judge in this iniquitous suit, gave judgment against the helpless party, and ordered her to be removed to the house of the person by whom she was claimed. In this affecting scene, the father, under pretence of bidding a last farewell to his child, came forward to embrace her; and, in presence of a multitude of people, having then no other means to preserve her honour, he availed himself of the prerogative of a Roman father, and stabbed her to the heart with a knife. A general indignation instantly arose from this piteous sight, and all parties concurred, as at the expulsion of the Tarquins, to deliver the Republic from so hateful a tyranny.*

U. C. 304.

No more was required in this case to effect a revolution but the will to produce it; and the Senate and Patrician administration being re-established by the cheerful concurrence of the Plebeians, and the former government being restored with the consent of all parties, a disposition to mutual confidence ensued, which led to the choice of the most popular persons into the office of Consul, and procured a ready assent from the nobles to every measure which tended to gratify the people.

The

* Liv. lib. iii. c. 37. Dionys. Hal. sine.

The danger which had been thus recently experienced from the abuse of a legislative commission, produced a resolution to restrain, under the severest penalties of confiscation and death, any person from ever proposing such a measure. The consecration of the persons of the Tribunes, which, under the late usurpation, had almost lost its effect, was now renewed, and extended, though in a meaner degree, to the Ediles and inferior officers, who were supposed to act under the Tribunes in preserving the rights of the people.

The Patricians likewise consented to have the acts of the Senate formally recorded, placed in the temple of Ceres, and committed to the care of the Ediles¹. This was in fact a considerable diminution of the power of the Consuls, who had been hitherto considered as the keepers and interpreters of the Senate's decrees, and who had often suppressed or carried into execution the acts of this body at pleasure.

But the most striking effect, ascribed to the present unanimity of the citizens, was the ease with which the Plebeian assemblies, hitherto supposed competent only to make bye-laws for themselves, were permitted to extend the authority of their acts to all the different orders of the commonwealth. U. C. 304.

The *Comitia*, or assemblies of the Roman people, as may be collected from the past observations, were now of three denominations; that of the Cu-

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riæ,

¹ Liv. lib. iii.

CHAP. ^{II.} riæ, the Centuries, and the Tribes. In assemblies of the first and second denomination, every citizen, whether Patrician or Plebeian, was a constituent member; and laws were enacted relating to the policy of the state in general, as well as to particular departments, and to separate bodies of men. The Centuries disposed of civil offices, and the *Curiæ* of military commands ¹. In the assembly of the Tribes, composed of Plebeians alone, the Tribunes were elected; and acts were passed to regulate the proceedings of their own order, beyond which, in the ancient times of the republic, their authority did not extend. But as the Senate denied the right of the Tribes to enact laws that should bind the community at large, the Plebeians, in their turn, disputed the legislative authority of the Senate. The Centuries alone were supposed to enjoy the right of enacting laws for the commonwealth ².

This distribution, however, was partial, and tended to lodge the sovereignty of the State in the hands of the Patricians, who, though no more than a part of the people, were enabled, by their undoubted majority in the assembly of the Centuries as well as in the Senate, to give law to the whole.

Equity and sound policy required that the Plebeians should have a voice in the legislature of a commonwealth

¹ Liv. lib. v. c. 52. Lib. ix. c. 38. Cic. ad Famil. lib. i. ep. 9. Liv. lib. vi. c. 21.

² These were termed *Leges*; the resolutions of the Senate were termed *Senatus Consulta*, and those of the Tribes, *Plebiscita*.

commonwealth of which they made so considerable a part. This privilege appeared to be necessary, in order to secure them against the partial influence of a separate order of men. They accordingly obtained it; but in a manner that tended to disjoin, rather than to unite into one body, the collateral members of the State. Instead of a deliberative voice, by which they might concur with the Senate and *Comitia* of the Centuries, or by which they might controul and amend their decrees, they obtained for themselves a separate and independent power of legislation, by which, as a counterpoise to the Patrician acts, which might pass in the Centuries without their concurrence, they could, on their part, and without the presence or consent of the nobles, make Plebeian acts that should equally bind the whole community ¹.

U. C. 304.

This rude and artless manner of communicating a share of the legislature to the inferior order of the people, tended greatly to increase the intricacy of this singular constitution, which now opened, in fact, three distinct sources of legislation, and produced laws of three different denominations; decrees of the Senate ², which had a temporary authority; acts of the Centuries ³; and resolutions of the Tribes ⁴; and by these means undoubtedly made way for much intestine division, distraction, and tumult.

So far animosity to the late usurpation had united

¹ Dionys. Hal. p. 306. Liv. lib. iii. c. 55.³ Leges.² *Senatus Consulta*.⁴ *Plebiscita*.

CHAP. II. ed all orders of men in the measures that followed the expulsion of the Decemvirs; but the spirit of cordiality did not long survive the sense of those injuries, and that resentment of a common oppression from which this transient unanimity arose. The Plebeians had, with consent of the Senate, removed some part of the establishment, in which the Patricians were unequally favoured; but they bore with the greater impatience the disadvantages under which they continued to labour, and by which they were still condemned to act a subordinate part in the commonwealth. They were still excluded from the office of Consul, and from that of the priesthood. They were debarred from intermarriage with the nobles by an express law, which had been enacted, lest the sexes, from passion, forgetting the distinction of ranks, should in this manner unite their families together; but being now, in some measure, by the late act in favour of the *Comitia* of the Tribes, become joint or rival sovereigns of the State, they could not long acquiesce in these unequal conditions.

U. C. 308. A few years after the restoration of the commonwealth, Canuleius, a Plebeian, being one of the Tribunes, moved the celebrated act which bears his name¹, to repeal the clause of the Twelve Tables which prohibited the intermarriage of Patricians and Plebeians. The other nine Tribunes joined at the same time in a claim of more importance—that the office of Consul should be laid open to

¹ Lex Canuleia. Liv. lib. iv. c. 1.

to all the different orders of the commonwealth, and might be held by Plebeians, as well as Patri-
CHAP.
II.
 cians¹. The Senate, and the whole order of nobles, having for some time, by delays, and by involving the State, as usual, in foreign wars, endeavoured to suspend the determination of these questions, were at length obliged to gratify the people in the less material part of their pretensions, respecting the intermarriage of different ranks, in order, if possible, to pacify them on the refusal of the more important claim, which related to their capacity of being elected into the office of Consul.

To elude their demands on this material point, it was observed, that of the sacrifices and other duties belonging to the priesthood, which, by the sacred laws of religion, could be performed only by persons of noble birth, many were to be performed by the Consul, and could not, without profanation, be committed to any person of Plebeian extraction; and that, by this consideration alone, the Plebeians must be for ever excluded from the dignity of Consul. Superstition, for the most part, being regulated by custom alone, no change can be made in the custom, without appearing to change the religion that is founded upon it. This difficulty accordingly put a stop, for a while, to the hasty pace with which the Plebeians advanced to the Consulship: but the obstruction was at length removed, as many difficulties are removed in human affairs, by a slight eva-
sion,

¹ Dionys. Hal.

CHAP. II. of Consuls, and by the mere change of a name. The title of Consul being changed for that of Military Tribune, and no sacerdotal function being included in the duties of this office, Plebeians, though not qualified to be Consuls, were allowed to offer themselves as candidates, and to be elected Military Tribunes with consular power. In this manner the supposed profanation was avoided, and Plebeians, under a new appellation, were allowed to be qualified for the highest place in the State. The mere privilege, however, did not, for a considerable time, enable any individual of that order to attain to the honour of first magistrate of the commonwealth. The Plebeians in a body had prevailed against the law which excluded them; but individuals, as separate candidates for office, still yielded the preference to the Patrician competitor; or, if a Plebeian were likely to prevail at any particular election of Military Tribunes, the Patricians had credit enough to have the nomination of Consuls revived in that instance, in order to disappoint their antagonists.

Together with the separation of the military and sacerdotal functions, which took place on this occasion, another change, more permanent and of greater moment, was effected. Ever since the institution of the Census, or muster, the enrolment of the people was become a principal function of the executive power. In the first ages it belonged to the King, together with all the other prerogatives of state. In the sequel, it devolved on the Consuls;

Consuls ; and they accordingly, at every period of five years, upon a return of the muster, could dispose of any citizen's rank, assign him his class, place him on the rolls of the Senate, or on that of the Knights, or strike him off from either ; and, by charging him with all the burdens of a subject, while they stript him of the privileges of a citizen, deprive him at once of his political consequence¹, and of his state as a Roman².

CHAP.
II.

These powers were actually exerted, not merely held up into public view to awe the people. The magistrate took an account of every citizen's estate, inquired into his character, and assigned him his place ; promoted him to the Senate or to the Knighthood ; degraded or disfranchised, according as he judged the party worthy or unworthy of his freedom, of the rank which he held, or of that to which he aspired in the commonwealth³.

So important a trust committed to the discretion of an officer elected for a different purpose, took its rise in the simplicity of a rude age ; but continued for a considerable period without any flagrant examples of abuse. It was, nevertheless, that branch of the consular magistracy which the Patricians were least willing to communicate or to share with the Plebeians. While they admitted them, therefore, to be elected Tribunes with consular power, they stipulated, that the charge of presiding

¹ Liv. lib. iv. c. 24.

² The citizens who came under this predicament were termed *Æerarii*.

³ Liv. lib. iv. c. 24.

CHAP. II. presiding in the Census, or musters, should be dis-joined from it; and that, under the title of Cen-
 U. C. 310. sorors, this charge should remain with persons of Patrician birth¹. They contended for this separation, not with a professed intention to reserve the office of Cenfor to their own order, but under pretence that persons invested with the consular power, being so frequently employed in the field against the enemies of the commonwealth, could not attend to affairs of the city, or perform all the duties of Cenfor at their regular periods.

But whatever may have been the real motive for separating the department of Cenfor from that of Consul, the change appears to have been seasonably made; and may be considered as a striking example of that singular felicity with which the Romans, for some time, advanced in their policy, as well as in their fortunes. Hitherto the Roman Consul, being a warrior, was chiefly intent on the glory he was to reap in the field, and to gain at the expence of the enemies of the State. He disdained to seize the advantages which he had in his power, in the quality of a clerk or accountant intrusted with the Census, or enrolment of his fellow citizens; and so little apprehension was entertained of any such abuse, that no peculiar attention appears to have been given to the choice of Consuls on the year of the Census, as being then vested with any dangerous measures of power. But considering the height at which party disputes

¹ Liv. lib. iv, c. 8.

putes were then arrived, and the great consequence of a citizen's rank and place on the rolls, it was no longer safe to intrust in the same hands the civil rights of the People, and the executive powers of the State. The Consul, being frequently raised to his station by party intrigues, and coming into power with the ardour of private ambition and of party zeal, might easily, in the manner of making up the rolls of the people, have gratified his own predilections or resentments, or that of his faction. The office of Consul, in the department of military command, was naturally the province of youth, or of vigorous manhood; but that of Censor, when disjoined from it, fell as naturally into the hands of persons of great authority and experienced age; to whom, in the satiety of brighter honours, the People might safely intrust the estimate of their fortunes, and the assignment of their rank. In such hands it continued, for a considerable period, to be very faithfully discharged; and by connecting the dignities of Citizen, and the honours of the State, with private as well as public virtue, had the happiest effects on the manners of the People.

The number of Censors, like that of the Consuls, was limited to two; but that of the Consular Tribunes was left undetermined, and at successive elections was augmented from three to eight. This has given occasion to some historians, who are quoted by Livy, to ascribe the institution of this office, not to the importunity of the Plebeian party,

CHAP.
II.

party, but to the exigencies of the State ; which being assailed by numerous enemies, and not having as yet devised the method of multiplying commanders, under the titles of Proconsul, or Prætor, were led to substitute officers of a different denomination, whose numbers might be increased at discretion. It is indeed probable, that, in the progress of this government, new institutions, and the separation of departments, were suggested no less by the multiplicity of growing affairs, than by the interests of party, or by the ambition of separate pretenders to power. In the first of those ways, we are led to account for the institution of the Plebeian Ediles, already mentioned ; for that of the Præfectus Annonæ, or Inspector of the Markets, together with the additions that were, in the course of these changes, continually made to the number of Quæstors.

The Quæstors had been long established at Rome ; they had charge of the public funds, and followed the Kings and the Consuls as commissaries or providers for the army in the field. During the busy period which we have been now considering, their number was augmented from two to four ; and the places were filled, for the most part, with Patricians, though not limited to persons of this rank.

The Præfectus Annonæ, or Inspector of the Markets, was an officer occasionally named, on a prospect of scarcity, to guard against famine, and to provide for the wants of the people. Rome

was

was in fact a place of arms, or a military station, CHAP. II.
 often depending as much for subsistence on the foresight and care of its officers, as on the course of its ordinary markets. Without a proper attention to this particular on the part of the State, the People were exposed to suffer from scarcity. On the approaches of famine, they became mutinous and disorderly, and were ready to barter their freedom, and the constitution of their country, for bread. During the famine which first suggested the separation of this trust from that of the ordinary officers of State, Sp. Mælius, a Roman Knight, being possessed of great wealth, engrossed great quantities of corn; and having it in his power to supply the wants of the poor, had formed a dangerous party, and, by their means, aimed at dominion in the commonwealth. The Senate was alarmed, and, as in the most dangerous crisis of the state, had recourse to the nomination of a Dictator. Mælius being cited to appear before this officer, and having refused to obey, was put to death. U. C. 313.

The care of supplying the people with corn, which had been at this time committed to L. Minucius, was from thenceforward intrusted to citizens of the first rank, and the office itself became necessary in the political establishment of the commonwealth.

Hitherto we have considered the Roman Republic as a scene of mere political deliberations and councils, divided at home, and seemingly unable

CHAP. II. to unite their forces abroad. The State, however, presented itself to the nations around it under a very different aspect: To them it appeared to be a mere horde of warriors, which made and preserved its acquisitions by force, and which never betrayed any signs of hesitation or weakness in the measures that were required for its safety. In the transition from monarchy to republic; indeed, there seems to have been a temporary intermission of national exertions. Private citizens, annually raised to the head of the republic, did not with their elevation acquire the dignity of princes; they did not command the same respect from their fellow-citizens at home, nor had the same consideration from rival nations abroad. The frequent dissensions of the people seemed to render them an easy prey to their enemies. During the life of Tarquin many powers united against them in behalf of the exiled king. They were stripped of their territory, confined to the walls of their city, and deserted by their allies. The fortune of the State seemed to fall with its monarchy. The event, however, belied these appearances, and the power of the annual Magistracy soon became more formidable abroad, though less awful at home, than that of the Monarch. The republican government sought for respite from domestic trouble in the midst of foreign war, and the forces of the State, instead of being restrained, were impelled into action by intestine divisions. The jealousy with

which the lower ranks of the people endeavoured to watch their superiors, the solicitude with which the higher order endeavoured to preserve its distinction, the exercise of ability which, in this contest, was common to both, enabled them to act against foreign enemies with a spirit that was whetted, but not worn out, in their domestic quarrels. CHAP.
II.

The Consuls annually elected, brought to the helm of affairs a fresh vigour of mind and continual supplies of renewed ambition. Every officer, on his accession to the magistracy, was in haste to distinguish his administration, and to merit his triumph; and numerous as the enemies of the Republic appeared, they were not sufficient to furnish every Roman Consul, in his turn, with an opportunity to earn this envied distinction. It was conferred only upon those who obtained actual victories, and before whom a certain number of the enemy had fallen.

In this nursery of warriors, honours, tending to excite ambition or to reward military merit, were not confined to the leaders of armies alone: The victorious foldier partook in the triumph of his leader, and had subordinate rewards, proportioned to the proofs he had given of his valour. “I bear the scars,” said Dentatus (while he pleaded for a share in the conquered lands to himself and his fellow-soldiers) “of five and forty wounds, of which twelve were received in one day. I have

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“carried

1 Five thousand in one field.

CHAP. II. “ carried many prizes of valour. Fourteen civic
 crowns bestowed upon me by those I had saved
 in battle. Three times the mural crown; ha-
 ving been so often the first to scale the enemies
 walls. Eight times the prize of distinction in
 battle. Many tokens of esteem and gratitude
 from the hands of generals. Eighty-three chains
 of gold, sixty bracelets, eighteen lances, and
 twenty-five sets of horse-furniture, from private
 persons, who were pleased to approve of my ser-
 vices.”

Under the influence of councils so fertile in the invention of military distinctions, and in armies of which the soldier was roused by so many incentives to military ambition, the frequent change of commanders, which is commonly impolitic, proved a perpetual renovation of the ardour and spirit with which armies were led. In public deliberations on the subject of war, the vehement ambition of individuals proved a continual incentive to vigorous resolutions, by which the State not only soon recovered the consequence which it seemed to have lost in its transition from Monarchy, but was speedily enabled to improve upon all its former advantages, as head of the Latin confederacy; frequently to vanquish the Sabines, the Hernici, the Volsci, and Etruscans, and, in about a hundred years after the expulsion of Tarquin, to extend its dominion greatly beyond the territories which had been in the possession of that prince. In one direction,

rection, from Falerium to Anxur, about sixty miles; and in the other, from the summits of the Appenines to the sea: And Rome, the metropolis of this little empire, was become, with a few competitors, one of the principal states of Italy.

CHAP.
II.
U. C. 344.

The first and nearest object of its emulation at this period was Veia, an Etruscan community, of which the capital, situate about nine miles from Rome, was built on an eminence, and secured by precipices¹.

The Romans, even before the change of their government from the form of a principality to that of a republic, had been in possession of the Tiber and both its banks; but on the right of this river were still circumscribed by the Veientes, with whom they had waged long and desperate wars; and, as may be supposed among rivals in so close a neighbourhood, with imminent danger to both. Veia, according to Dionysius, was equal in extent to Athens, and, like the other Etruscan cantons, was further advanced than Rome in the arts of peace, probably better provided with the resources of war, but inferior in the magnanimity of its councils and in the courage of its people. The Veientes, after a variety of struggles, being forced to retire within the walls of their

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city,

¹ This description agrees with that of the Isola Farsuse, near Storta, the first stage from Rome, although there is not now any river on the way to Rome answerable to the effect which Livy ascribes to the Cremera, as a barrier on which the Fabii so long opposed the Veientes, and by the rashly passing of which they finally perished. It is singular that this eloquent writer should adopt a relation, with circumstances inconsistent with the physical state of the country within a few miles of Rome. Liv. lib. ii. c. 49. & 50.

CHAP. city, suffered themselves to be invested, and un-
 II. derwent a siege or blockade of ten years. The Ro-
 mans, in order to reduce them, having an army so
 long in the field, without any interruption or distinc-
 tion of seasons, made secure approaches, fortify-
 ing themselves in the posts which they successive-
 ly occupied, and in the end entered the place by
 U. C. 357. storm.

In these operations, we are told, that this war-
 like community learned to act with more regula-
 rity than they had formerly practised ; and ha-
 ving, some little time before, allotted a military
 pay to such of their people as served on foot, they
 at this time extended the same establishment al-
 so to their horsemen or knights ; imposed taxes
 on the people in order to defray this expence, and
 made other arrangements, which soon after ena-
 bled them to carry their enterprizes to a greater
 distance, and to conduct them with more order
 and system : circumstances which, together with
 the accessions of territory and power, gained by
 the reduction of Veix, rendered this event a re-
 markable epocha in the history of Rome.

The use which they proposed to make of their
 conquest was in part a continuation of their ori-
 ginal policy. The practice of incorporating van-
 quished enemies, indeed, with the Roman people,
 had been long discontinued : for even Tarquin, it
 is said, had introduced the custom of enslaving ra-
 ther than adopting his captives, and this fate the
 citizens of Veix underwent ; but their lands, and
 the

the city itself, offered a tempting recess to the conquerors. And accordingly it was proposed to transplant into those vacant possessions and seats one half of the Roman Senate and people ¹. CHAP. II.

This proposal was extremely acceptable to many, who hoped to double their own possessions, and who flattered themselves also that they might double the powers of the State: but it was strenuously opposed by the greater part of the Senate and Nobles, as tending to divide and to weaken the commonwealth, and as more likely to restore a rival than to strengthen themselves. And it was eluded by a partial division of the Veian territory, in which seven *jugera*, or about four English acres, were assigned as the lot of a family; and by these means the more indigent citizens were provided for, without any hazard of dismembering the state.

But while the Romans were thus availing themselves of the spoils of a fallen enemy, and probably enjoying, on the extinction of their rival, a more than common degree of imagined security, they became themselves an example of the instability of human affairs; being assailed by a new and unlooked for enemy, who came like a stroke of lightning on their settlement, dispersed their people, and reduced their habitations to ashes.

The Gauls, who are said to have passed the Alps in three several migrations about two hundred years before this date, being now masters of all the plains on the Po, and of all the coasts of

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the

¹ Liv. lib. v. c. 24.

CHAP. the Adriatic to the banks of the river Sena, where
 II. they had a settlement, which, from their name, was called Sena Gallia; and being still bent on extending their possessions, or shifting their habitations, had passed the Appenines, and laid siege to Clusium, the capital of a small nation in Tuscany¹. The inhabitants of this place made application to the Romans for succour; and could obtain no more than a deputation to intercede with the Gauls in their behalf. But the deputies who were sent on this business, and commissioned to act only as mediators, having appeared in arms on the side of the besieged, the Gauls complained of their conduct as a breach of faith, and as a departure from the neutrality which the Romans professed: Being denied satisfaction on this complaint, they dropped their design on Clusium, and turned their arms against these pretended mediators, who had violated the laws of war. They advanced on the left of the Tiber, found the Romans posted to receive them on the Allia², a small river which was the limit of the Roman territory, in the country of the Sabines, about ten miles from Rome; and, with the same impetuosity which hitherto attended them, they passed the Allia on the right of the Roman army, drove them into the angle that was formed by the confluence of the two rivers, put

¹ Liv. lib. v. c. 35, &c.

² The only water-run to which the name of Allia as a river or barrier to cover the front of an army, is applicable, and that imperfectly, is that of a rivulet, beyond the Monte Jubileo, about six or seven miles from Rome, on the Via Salara.

put all who withstood them to the sword, and forced the remainder into the Tiber, where numbers perished, or, having gained the opposite bank, took shelter in the desolated city of Veiaë and in the neighbouring country. CHAP.
II

This calamity is said to have so much stunned U.C. 363. or overwhelmed the Roman people, that they made no farther attempt to defend their city. All the youth that were fit to carry arms retired into the Capitol. The weak or infirm, whether by sex or age, fled as from a place condemned to destruction, or suffered themselves to be surprisèd and cut off in the streets.

The Gauls, having employed three days in the pursuit and slaughter of those who fled from the field of battle, on the fourth day advanced towards the walls of Rome. But being alarmed at first by the general desertion of the battlements, which they mistook for an ambuscade or an artifice to draw them into a snare, they examined all the avenues with care before they ventured to enter the gates. The more effectually to dislodge every enemy, they set fire to the city, reduced it to ashes, and took post on the ruins, in order to besiege the Capitol, which alone held out¹. In this condition, the daring spirit of Rome, already so formidable to all its neighbours, appeared to be suppressed for ever. And even by the Greeks, notwithstanding their contempt of Barbarians, the rising fame and the reverse of its fortune were heard with attention².

The

¹ Plutarch, in vit. Camilli.

² Ibid.

CHAP.

II.

The Gauls remained in possession of the ruins for six months; during which time they made a fruitless attempt to scale the rock on which the Capitol was built; and being repulsed by Manlius, who, for his vigilance and valour on this occasion, acquired the name of Capitolinus, they continued to invest and block up the fortress, in hopes of being able to reduce it by famine. The Romans, who were shut up in the Capitol, still preserved the forms of their commonwealth, enacted laws in name of the Senate and People, and sensible that Camillus, under whose auspices they had reduced the city of Veiaë, and triumphed over many other enemies, now in exile on the score of an invidious charge of embezzling the spoils he had won at that place, was the fittest person to retrieve their affairs; they absolved him of this accusation, reinstated him in the qualification to command their armies; and, in order that he might assuage their allies, and collect the remains of their people, who were dispersed in the neighbouring country, vested him with the power of Dictator. In the extreme distress of his country, Camillus overlooked the wrongs he had received, and with the numbers that repaired to his standard, hastened to arm for the relief of the Capitol. He arrived, indeed, at a critical moment, when the besieged, being greatly reduced by famine, had already capitulated, and were paying a ransom for themselves and their remaining effects. But before this

this transaction was completed, he surpris'd the besiegers, oblig'd them to relinquish their prey, and afterwards, in a decisive battle that was fought in the neighbourhood of Rome, revenged the disaster which his countrymen had suffer'd on the banks of the Allia ¹.

Whatever may have been the true account of this famous adventure, the Romans have given it a place in their history, retained a peculiar sense of their danger from the Gauls, and to this date referred the origin of some particulars in their policy, which served as a monument of some mighty event. They set apart particular funds in the treasury, to be spared in every other possible emergency, and reserved for the case of invasion from Gaul alone. The magistrate, too, though in ordinary times subjected to great limitations, in this case was intrusted with discretionary power: and it is likely that, in the age in which they took this alarming impression of danger from the Gauls, they had not yet acquired those advantages of discipline and military skill, in which they were afterwards so much superior to those and other barbarous neighbours ².

Although

¹ Liv. lib. v. c. 43, &c.

² The establishment of the Legion, and the improvement made in the choice of its weapons and manner of array, are mentioned as subsequent to this date: And the Romans, it is confessed, made less progress in all other arts than in those of war. Their general, Camillus, at his triumph for the victory obtained over the Gauls, made his entry into Rome, having his visage painted with red; a practice, says Pliny, which is yet to be found among nations of Africa, who remain in a state of barbarity, and which this natural historian was inclined to consider as a characteristic of barbarous manners, still prevailing in Rome at the date to which he refers.

CHAP.

II.

Although historians have amply supplied the detail of history before this event, they nevertheless acknowledge, that all prior evidence of facts perished in the destruction of Rome ; that all records and monuments of what the Romans had formerly been, were then to be gathered from the ruins of cottages, which had been for several months trodden under foot by a barbarous enemy ; that the laws of the Twelve Tables, the People's Charters of Right, and the Forms of the Constitution, were to be collected in fragments of plates which were dug from the rubbish of their former habitations ; and that nothing remaining to mark the former position of Rome, besides the Capitol, raised on its rock, and surrounded with ruins, the people deliberated whether they should attempt to renew their settlement on this ground, or transfer it to Veiaë. It had been formerly proposed to remove to that place one-half of the Senate and people. It was now thought a fit place to receive the whole, and the proper ground on which to restore the name and the seat of their commonwealth. " Why," said the promoters of this design, " attempt, at a great expence, and with so much labour, to clear out the wretched ruins of a fallen city, while we have another, provided with private and public buildings of every sort, yet entire for our reception ?" To this specious argument might have been opposed the consideration of many advantages in their former position ; its place on a navigable river, its command

of

of the passage from Latium to Etruria, and of the navigation of the Tiber from the descents of the Appenines to the sea. But motives of superstition and national pride were supposed to be of greater weight. "Would you," said Camillus, "abandon the seats of your ancestors? Would you have Veïæ restored, and Rome to perish forever? Would you relinquish the altars of the Gods, who have fixed their shrines in these sacred places; to whose aid you are indebted for so many triumphs, and to whom you owe the recovery of those habitations for which you now propose to relinquish their temples?"

Convinced by this argument, the Romans determined to remain in their ancient situation, proceeded to restore their habitations, and, in the course of a year, accomplished the work of rebuilding their city. An *Æra* from which, as from a second foundation, may be dated the rise of the commonwealth, and the beginning of a period, in which its history, though still controverted in some particulars, is less doubtful than before, or less disfigured with fable¹.

CHAP.

¹ Some parts, even of the history that follows, are doubtful. The names of Dictators and of Consuls, the reality of entire campaigns, as well as of single actions, are controverted, (Liv. lib. i. c. 5. & 26. lib. v. c. 55. lib. viii. c. 38. lib. ix. c. 15.): But that which preceded this date rests almost on tradition alone, (Liv. lib. vi. c. 1.) It serves, however, to inform us what the Romans themselves believed; and is therefore the best comment we can have on the genius and tendency, as well as the origin, of their political institutions.

C. H. A. P. III.

Scene of foreign War and domestic Dispute opened with reviving Rome.—Faction or Conspiracy of Manlius.—Condemnation.—Plebeians elected into the Office of Consular Tribunes.—Aspire to the Consulate.—The first Plebeian Consul.—Establishment of the Prætor.—Patrician Ediles.—The Plebians qualified to hold all the Offices of State.—The Measure of Roman Magistracy complete.—Review of the Constitution.—Its seeming Defects.—But great Successes.—Policy of the State respecting foreign or vanquished Nations.—Formation of the Legion.—Series of Wars.—With the Samnites. Campanians.—The Tarentines.—Pyrrhus.—Sovereignty of Italy.—Different Footing on which the Inhabitants stood.

CHAP.
III.

U. C. 365.

THE Romans were not allowed to restore their community, nor to rebuild their habitations, in peace: They were invaded by the Equi, the Volsci, the Hernici, the Etruscans, and some of their own Latin confederates¹, who dreading the re-establishment of a commonwealth, from which they had already suffered so much, and whose power was so great an object of their jealousy, made every effort to prevent its revival. During a period of one hundred and seventeen years which followed, they accordingly had to encounter a succession of enemies, who, by endeavouring to repress their

¹ Liv. lib. vi. c. 2. & 16.

their power, only led them to the conquest of Italy; of which they became Sovereigns; while they continued to undergo internal convulsions, which, as formerly, proved the occasion of political institutions, that filled up by degrees the measure of their national establishment.

During this period, the Plebeians, far from being satisfied with their past acquisitions, made continual efforts to enlarge their powers. The Tribunes, by traducing the Senate, and by displaying, in their harangues, the severities in particular of the Patrician creditor, and the sufferings of the Plebeian debtor, still inflamed the animosity of their party. The republic appeared to be so feebly established, that ambitious citizens were encouraged, by means of faction in the lower class of the people, to entertain hopes of subverting the government. On this ground Manlius, the famous champion of the Capitol, who, as has been observed, by his vigilance and valour preserved that fortress from the Gauls, formed a design to usurp the sovereignty. Presuming on his merit in this and other services, he thought himself superior to his fellow citizens: but whilst he endeavoured by his intrigues with the populace, to form a party against the Senate, he incurred, what was at Rome of all imputations the most odious, that of aspiring to be King. In opposition to this conspiracy, whether real or fictitious, the republic was committed to the care of a Dictator; and Manlius being brought before him, endeavoured

CHAP. to turn the suspicion of malice and envy against
III. his accusers. He produced four hundred citizens, whom he had redeemed from their creditors and released from chains. He produced the spoils of thirty enemies slain by himself in battle; forty badges of honour conferred on him by generals under whom he had served; many citizens whom he had rescued from the enemy, and in this number he pointed at Caius Servilius himself, second in command to the Dictator, who now carried the sword of the State against the life of a person who had saved his own. In the conclusion of this defence, "Such were the treasons," he said, "for which the friends of the People are to be sacrificed to their imperious lords."

His merits in the public service were great, and entitled him to any reward from the people, except a surrender of their freedom. His liberality to the more indigent citizens, if it proceeded from humanity, was noble; but if it proceeded from a design to alienate their affections from the public, or to employ their numbers against it, liberality itself was a crime; and the most splendid services, considered as the artifices of a dangerous ambition, were the objects of punishment, not of reward.

The people, it is said, while they had in their view the Capitol, which had been saved by the vigilance and bravery of this unfortunate criminal, hesitated in their judgment; but their meeting being adjourned to the following day, and to a different place, they condemned him to be thrown
from

from that very rock on which he had so lately distinguished his valour ¹. CHAP.
III.

Such alarms to the general state of the commonwealth, had their temporary effect in suspending the animosity of parties; but could not reconcile their interests, nor prevent the periodical heats which continually arose on the return of their disputes. The Plebeians had been now above forty years in possession of a title to hold the office of Consular Tribune, but had not been able to prevail at any election ². The majority of the Centuries was still composed of Nobles; and when candidates of inferior extraction were likely, by their personal consideration, to carry a majority, the other party, in such particular instances, had influence enough, as has been observed, to revive the election of Consuls, a title to which, by law, Patricians alone were yet admitted.

The Plebeians, however, by the zeal of their party, by the assiduity and influence of individuals who aspired to office, by the growing number of their own order, whom their wealth had advanced into the first and second classes, by their alliance with the Patrician families in consequence of marriage, at last surmounted these difficulties, obtained the dignity of Consular Tribune for one of their own extraction, and from thenceforward began to divide the votes of the Centuries with the Patrician candidates. They were accordingly raised in their turn to what was then the first office of State, U. C. 353.

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and

¹ Liv. lib. vi. c. 27.

² Ibid. lib. vi. c. 37.

CHAP. and in which nothing was wanting but the title
 III. of Consul, to which they soon after laid claim. This concluding step in the advancement of their rank, they were urged to make by the ambition of a female Patrician, who being married into a Plebeian family, bore with impatience the mortifications to which she was exposed from the condition of her new relations. She excited her husband, engaged her own kindred among the Patricians, and roused the whole popular party to remove the indignities, which, in being supposed unworthy to hold the Consular dignity, were yet affixed to their race.

U. C. 377. Licinius Stolo, the husband of this lady, and Publius Sextius, another active and ambitious Plebeian, were placed in the College of Tribunes, in order to urge this point. They began the exercise of their office by proposing three very important laws: The first intended for the relief of insolvent debtors; by which all payments already made on the score of interest, should be deducted from the capital, and three years be allowed to pay off the remainder.

A second law to limit the extent of estates in land, by which no citizen should be allowed to engross above five hundred Jugera¹, or to have in stock above one hundred bullocks, and five hundred goats and sheep.

A third law to restore the election of Consuls, in place of Consular Tribunes, with an express provision

¹ About 300 English acres. The Lex Licinia, to be frequently quoted in the sequel.

provision that, at least, one of the Consuls should be of Plebeian descent. CHAP.
III.

The Patricians, to repel this attack, having gained some of the Tribunes to their party, prevailed upon them to dissent from their colleagues, and by their negative to suspend all farther proceeding on the subject of these laws. The Tribunes, Licinius and Sextius, in their turn, suspended the usual election of magistrates, and put a stop to all the ordinary affairs of State.

An anarchy of five years ensued¹; during which period the republic, bereft of all its officers, had no magistracy besides the Tribunes of the People, who, formidable as they were in the state, were not legally vested with any degree of executive power². Any alarm from abroad must have suspended the contest at home, and forced the parties to a treaty: but they are said to have enjoyed, in this time of domestic trouble, uninterrupted peace from abroad; a circumstance from which we may infer, that in most of their wars they were themselves the aggressors, and owed this interval of peace to the vacancy of the Consulate, and to their want of the prompters, by whom they were usually excited to quarrel with their neighbours.

In the several questions, on which the parties were now at variance, the Patricians contended chiefly for the exclusion of Plebeians from the office or title of Consul; and, as an insuperable bar to their admission, still insisted on the sacri-

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legious

¹ From U. C. 77 to 392.

² Liv. lib. vi. c. 35.

CHAP.
III.

legious profanation that would be incurred, by suffering the rites usually performed by the Consuls to pass into Plebeian hands. But this argument, instead of persuading the popular leaders to desist from their claim, only led them to perceive that it was necessary, by a previous operation, to remove the impediment, before they attempted to pass through the way which it was meant to obstruct. They appeared then for a little to drop their pursuit of the Consulate; they affected to respect the Patrician claim, to the possession of places which had always been assigned to their order. But they moved, that the number of ordinary attendants on the sacred rites should be augmented from two to ten; and that of these one half should be named of Plebeian extraction.

While the Patricians continued to reject this proposal, on account of the effect it was likely to have on their pretensions in general; they gave way successively, and, at the interval of some years, first to the acts that were devised in favour of insolvent debtors; next, to the Agrarian law, or limitation of property in land; and last of all, to the new establishment relating to the priesthood, and in the sequel, to the communication of the Consulate itself to persons of Plebeian rank.

The authors of the new regulations, knowing that the majority of the Centuries was composed of Patricians, or was still under the influence of that order, were not satisfied with the mere privilege of being qualified to stand for the Consulate.

They

They insisted, that at least one of the Consuls should be a Plebeian; and having prevailed in this, as in the other subjects of contest, the Plebeian party, entering immediately on the possession of their new privilege, raised Publius Sextius, U. C. 387. one of the Tribunes, who had been so active in the cause of his constituents, to the office of Consul.

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III.

But while the Patricians thus incurred a repeated diminution of their exclusive prerogatives, they endeavoured, by separating the judicative from the executive power of the Consul, and by committing the first to a Patrician officer, under the title of Prætor, to save a part from the general wreck.

It was intended that the Prætor should be subordinate, but next in rank, to the Consul. He was attended by two Lictors, and had his commission in very general terms, to judge of all differences that should be brought before him, and to hear the suits of the people from the rising until the setting of the sun. This unlimited jurisdiction, as we shall have occasion to observe, came to be gradually circumscribed by its own precedents, and by the accumulating edicts of successive Prætors. One person at first was supposed able to discharge all the duties of this office; but the number, in order to keep pace with the growing multiplicity of civil affairs, was afterwards gradually increased,

Another political change, by which the Patricians procured some compensation for what they

CHAP. had now surrendered, was made about the same
 III. time. The care of the public shows and entertainments had hitherto belonged to the Ediles of the People. The office of Edile being at its first institution expensive, was likely to become gradually more so, by the frequent additions which were made to the festivals, and by the growing demands of the people for shows and amusements. The Plebeians complained of this charge as a burden on their order, and the opposite party offered to relieve them of it, provided that two officers for this purpose, under the title of Curile Ediles, should be annually elected from among the Patricians¹.

By these institutions the nobles, while they admitted the Plebeians to partake in the dignity of Consul, reserved to their own order the exclusive right to the offices of Prætor and Edile: By the last of which they had the direction of sports and public entertainments; a department which, in a state that was coming gradually under the government of popular assemblies, became, in process of time, a great object of ambition, and a principal way to the attainment of power.

The design or the effect of this institution did not escape the notice of the Plebeian party. They complained, that while the Patricians affected to resign the exclusive title to one office, they had seized on two others, inferior only in name, equal in consideration and influence. But no exclusive
 advantage

¹ Liv. lib. vi. c. 42.

advantage could be long retained by one order, while the other was occasionally possessed of the legislative and supreme executive power. All the offices, whether of Prætor or Edile, of Dictator or Censor, were, in process of time, filled with persons of either rank ; and the distinction of Patrician or Plebeian became merely nominal, or served as a monument or memorial of the aristocracy which had subsisted in former ages. The only effect which it now had was favourable to the Plebeians ; as it limited the choice of Tribunes to their own order, while, in common with the Patricians, they had access to every other dignity in the State.

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III.

Such is the account which historians have given us of the origin and progress of the Roman constitution. This horde, in the earliest account of it, presented a distinction of ranks, under the titles of Patrician, Equestrian, and Plebeian ; and the State, though governed by a prince, had occasional or ordinary assemblies, by which it approached to the form of a republic. Assemblies to which every citizen was admitted were termed the *Comitia* ; those which were formed of the superior ranks, or of a select number, were termed the Senate. Among those who had attained the age of manhood, to be Noble and to be of the Senate were probably synonymous terms. But after the introduction of the Census, separate rolls were kept for the Senate, the Equestrian Order, and the Plebeians or Commons. These rolls were composed by different

Review of
the Constitution.

CHAP. officers in successive periods of the State. The Se-
 III. nate, which met under Romulus, was said to consist of one hundred members¹. This number was increased or diminished at pleasure by his successors. The charge of deciding upon it passed from the Kings to the Consuls, and at last devolved on the Censors, who, at every interval of four years, were intrusted to make up the rolls of the people in their separate ranks and distinctions. It is remarkable, that, notwithstanding the great importance of the Senate in the government of their country, so little precaution was taken to ascertain who were to be its constituent members, or to fix their legal number. The body was accordingly fluctuating. Individuals were placed or displaced at the discretion of the officer intrusted with the muster, and the numbers which composed this high Council of State increased or diminished indefinitely. The Magistrates, though not enrolled, had access to the Senate; but their continuing members, after their year in office expired, depended on the discretion of the Censors. It seemed to be sufficient for the purposes of this constitution, that the Senate should be a meeting of the superior class of the citizens, without any specification of number or formal commission.

Recapitulation.

As the noble and popular assemblies had their separate

¹ Liv. lib. i. c. 8. According to Livy, the Senate consisted of no more than a hundred members at the death of Romulus; but, according to Dionysius, their numbers had been augmented by a popular election at the admission of the Sabines; some writers say to two hundred; others, only to one hundred and fifty. Dionys. lib. ii. c. 47.

separate existence under the Kings, the transition from monarchy to republic in so small a State, by substituting elective and temporary Magistrates instead of the King, was easy. A sufficient occasion was given to it in the abuses which were felt in the last reign of the monarchy. The disorders incident to the shock of parties, who were set free from a former controul, required, on occasion, the remedy of a discretionary authority vested in some person who might be intrusted with the public safety, and soon led to the occasional institution of a dictatorial power. The high prerogatives claimed and maintained by one party, obliged the other to assume a posture of defence, and to place themselves under the conduct of leaders properly authorized to vindicate their rights. These rights were understood by degrees to imply political equality, and, in the successive institutions that followed, put every citizen in possession of equal pretensions to preferment and honours; pretensions which were to be limited only by the great distinction which Nature has made between the capacities, merits, and characters of men, and which are subject, in every community, to be warped by the effects of education and fortune.

New departments of State, or additions to the number of officers employed in them, were continually suggested by the increase of civil affairs; and while the territory of the republic was but a small part of Italy, the measure of her political government was full, and the list of her officers complete.

CHAP. complete. Functions which, in the first or simplest ages, were either unknown or had been committed to the King alone, were now thrown into separate lots or departments, and furnished their several occupations to two Consuls, one Prætor, two Censors, four Ediles, and eight Quæstors, besides officers of these different ranks, who, with the titles of Proconsul, Proprætor, and Proquæstor, and without any limitation of number, were occasionally employed wherever the exigencies of the State required their service.

In this account of the Roman constitution we are come nearly to that state of its maturity¹ at which Polybius began to observe and to admire the order of its institutions, and the felicity of its administration. The Plebeians were now reconciled to a government in which they themselves had access to a share, and citizens of every rank made great efforts of industry in a State in which men were allowed to arrive at eminence, not only by advantages of fortune, but likewise by personal qualities. The Senate and Assemblies of the People, the Magistrates and Select Commissioners, had each their departments, which they administered with an appearance of sovereign and absolute sway, but without any interfering of interests or jealousy of power.

The Consuls were destined to the command of armies; but, while at Rome, seemed to have the highest prerogatives in the administration of all civil

¹ As it stood in the fifth and sixth Centuries of Rome.

civil and political affairs. They had under their command all the other officers of State, except the Tribunes of the People; they introduced all foreign ambassadors to the Senate; they alone could move that body on any subject of deliberation, and were intrusted with the record of its public acts or decrees. The Consuls, too, presided with a similar prerogative in the Assembly of the Centuries and in that of the Curia, proposed the question, collected the votes, declared the majority, and framed the act. In all military operations, in making their levies as well as in the command of the army, they were vested with high degrees of discretionary power^r over all the troops of the commonwealth, whether composed of Roman citizens or allies. They commanded the treasury, to the extent of any service on which they were employed, and had one of its Commissioners, or Quæstors, appointed to attend their court, and to receive their orders.

The Senate, however, had the ordinary administration of the revenue, took account of its receipts and disbursements, and suffered no money to be issued without their own decree, or the warrant of the Consul in actual service. Even the money decreed by the Censors for the repair of public buildings, and the execution of public works, could not be issued by the Quæstors without an act of the Senate to authorize it. All crimes and disorders
that

^r Vid. Zonar. No. 501. Frontini Stragemata, lib. iv. Val. Max. lib. ii. c. 7.

CHAP. ^{III} that were committed among the free inhabitants of Italy, or municipal allies of the State, all disputes of a private or public nature that arose among them, came under the jurisdiction and determination of the Senate. All foreign embassies were received or dispatched, and all negotiations were conducted, by this body. In such matters the People did no more than affirm or reverse what the Senate, after mature deliberation, had decreed, and for the most part gave their consent as a matter of form; insomuch, that while persons, who observed the high executive powers of the Consul, considered the State as monarchical; foreigners, on the contrary, who resorted on public business to Rome, were apt to believe it an aristocracy vested in the Senate alone.

The People, or collective body of Roman citizens, notwithstanding, had reserved the sovereignty to themselves, and, in their several assemblies, exercised the powers of legislation, and conferred all the offices of State¹. They likewise, in all criminal matters, held the supreme jurisdiction. In their quality of sovereign, they were the sole arbiters of life and death; and, even in their quality of subjects, did not submit to restraints which, in every other State, are found necessary to the existence of government.

A citizen, while accused of any crime, continued at liberty until sentence was pronounced against him,

¹ In the Centuries they enacted laws, and elected the officers of State. In the Curiae they appointed officers to military command.

him, and might withdraw from his prosecutors at any stage of the trial, even while the last Century was delivering its votes. A voluntary banishment from the Forum, from the meetings of the Senate, and the assemblies of the People, was accordingly the highest punishment which any citizen, unless he remained to expose himself to the effects of a formal sentence, was obliged to undergo; and it was expressly stipulated, that, even at Tibur or Præneste, a few miles from Rome, a convict who had withdrawn from judgment should be safe¹.

Parts so detached were not likely to act as one body, nor to proceed with any regular concert; and the State seems to have carried, in all its establishments, the seeds of dissension and tumult. It was long supported, nevertheless, by the uncommon zeal of its members in favour of a commonwealth, in which they enjoyed so much freedom, and in which they were vested with so much personal consideration and power.

The several members of the constitution, while in appearance supreme, were in many respects dependent each on the others.

The Consuls, while in office, had the meetings and deliberations of the Senate and People, in a great measure, in their power; but this power they held from the People, and were accountable for the exercise of it at the expiration of their office.

The

¹ The laws of Publilius, which gave the power of legislation to the Plebeian Assemblies, and that of Valerius, which secured every citizen in the right of appeal to the People at large, after being repeatedly re-enacted, were now in full force, (Liv. lib. x. c. 8.).

CHAP.

III

The Senate could resolve, but they could not execute, until they had obtained from the People a confirmation of their acts, and were obliged to solicit the Tribunes for leave to proceed in any matter which these officers were inclined to oppose.

The Senate was constituted, or formed, at regular periods, at the discretion of the Consuls or Censors, officers named by the people.

The city, nevertheless, was properly awed by the Senate and officers of State. On great and alarming occasions, the People themselves were sovereigns no longer than they were allowed by the Senate and Consuls to hold this character. For the Senate and Consuls having it in their power to name a Dictator, could at once transfer the sovereignty of the State to a single person, and subject every citizen to his authority. Every individual held his place on the rolls at the will of the Censors, and his property at the disposal of courts that were composed of Senators; the servants of the Public in general, who aimed at lucrative commissions, depended on the Senate, as administrators of the treasury, or as trustees in the collection or disbursements of the public money¹; and every Roman youth,

¹ The influence which the Senate possessed as administrators of the public treasury, according to Polybius, was very great. They had a number of commissions to give, in the collection of various duties levied on the navigation of rivers, the entry to sea-ports, the produce of mines, and demesne or public lands, chiefly let out for pasturage. They had likewise considerable disbursements on the repair of highways and public buildings, and in the execution of a variety of other works. In such transactions great numbers of people were concerned, as contractors, as partners with those who contracted with

youth, when embodied in the legions, intrusted his honours and his life in the hands of the Consul, or Commander in Chief ¹. C H A P.
III.

The mass, however, was far from being so well compacted, or the unity of power so well established, as speculative reasoners sometimes think necessary for the order of government. The Senate and the popular Assemblies, in their legislative capacities, counteracted each other. The numbers required to constitute a legal Assembly of the People ², the qualification of an individual which entitled him to be considered as a citizen of Rome, were still undetermined. Aliens settling in the city were admitted on the rolls of the People, and citizens removing to the colonies were omitted. Laws, therefore, might be obtained in a clandestine manner, when the People, not sufficiently aware of the consequence of such laws, did not attend; or the question might be determined by the voice of a single alien, as often as the division was nearly equal, and a designing magistrate chose to place any number of aliens on the rolls for this purpose ³. The State

the Senate, or as creditors who advanced money to enable the contractors to perform their articles. In all these several capacities the parties depended on the will of the Senate, and continually attended at the doors of that assembly, soliciting commissions, pleading for an abatement of some condition, for delay in the execution of some article, or relief in the case of unforeseen hardship or loss.

¹ Polyb. lib. vi. c. 10, 11, 12, 13, 14.

² Or Quorum in our Phrase.

³ In the settlement of Romulus, recruits of every quality, whether outlaws, fugitives, or captives, were received without distinction.—In the first ages of the

CHAP.
III.

State took its laws, not only from the Assemblies, which

the republic, aliens settling at Rome were admitted as citizens, and even placed on the rolls of the Senate.---The Tarquins, and the first of the Claudian family, were emigrants from the neighbouring cantons.---After the establishment of the Censur, or periodical muster, the King, the Consuls, and, last of all, the Censors, made up the rolls of the Senate and People at pleasure. They admitted upon it very readily every inhabitant of the city who claimed to be enrolled; but when a right of voting in any of the popular assemblies at Rome came to be considered as a privilege of moment, the inhabitants of Latium crowded to Rome in order to obtain it. They were sometimes put upon the rolls by one Consul, and forbid the city by his colleague; and in every such case the negative, by a maxim of the Roman policy, prevailed.---Such as actually settled at Rome, sooner or later found means to be inserted in the Tribes; and the towns of Latium complained, that they were deserted by numbers of their people, who resorted to Rome for this purpose, and that they were likely to be depopulated. They obtained a law, by which Latin emigrants were excluded from the rolls of the Roman People, except they had left offspring to replace them in the country towns they had left. And this seems to have been the first law enacted at Rome to regulate or restrain the naturalization of aliens. Some authors have affirmed, that, even while aliens were so easily admitted on the rolls of the People, Roman citizens, accepting of settlements in the colonies, forfeited their political rights. In this, however, it is probable, that the effects of mere absence have been mistaken for an express and formal exclusion. Whoever ceased to give in his name at the Censur, or whoever left his ward or tribe in the city to reside at a distance, was not enrolled in the ward, nor placed in any class. It did not follow, however, that he had forfeited his right, or might not claim it as often as he attended the Censur. In this case he was upon a foot of equality with every other citizen, and in the same manner received or rejected at the will of the Censor, or other officer who took the muster.

In this account of the Roman colonies, writers have followed the account of Sigonius, whose opinion, in every circumstance relating to the Roman history, is of great authority. In this particular, however, it happens, that the principal passage he has quoted in support of his opinion, is by some accident strangely perverted. Livy relates, lib. xxxiv. c. 42. that the people of Ferentinum, in the year of Rome five hundred and fifty-seven, started a new pretension, by which all Latins who gave their names to be inscribed in any Roman colony should be considered as Roman citizens; but that the Senate rejected this claim when offered by persons who were annexed to the colonies of Puteoli, Salernum, and Buxentum. *Novum jus eo anno a Ferentinatibus tentatum, ut Latini, qui in coloniam Romanam nomina dedissent, cives Romani*

which were held, however irregularly, within the capital, but from military detachments and armies, CHAP.
III.
when

Romani essent. Puteolos, Salernumque et Buxentum adscripti coloni, qui nomina dederunt quum ob id se pro civibus Romanis ferrent; Senatus judicavit non esse eos cives Romanos. There was a distinction between Roman colonies and colonies of Roman citizens. The first might be Latins, or other allies, planted under the authority of the Roman State. The second were probably citizens. And the whole amount of this passage was to prove, that Latins were not to be considered as Roman citizens, merely because they resided in some colony of Roman citizens. But the quotation of Sigonius is as follows, and gives a wonderful perversion to the passage in question: *De antiquo Jure Italiae*, lib. ii. c. 3. "Quare ascripti coloni nomine quidem erant cives Romani, re vero coloni. Testem postulatis? non longe abiero. Presto est Livius qui scribit, lib. xxxiv. Puteolos, Salernum et Buxentum civium Roman. Adscripti coloni, qui nomina dederant cum ob id se pro civibus ferrent; Senatum judicasse non esse eos cives Romanos; et *alio loco* narrat Ferentinales novum jus tentasse, ut Latini, qui in coloniam Romanam nomina dedissent, cives Romani essent."

The perversion of this quotation is remarkable. Different clauses of the same sentence are quoted as separate passages in different parts of the author. The order of the clauses is so placed, that the use of the first in explaining the second is lost, and the words *civium Roman.* are inserted. The passage in Livy, asserting that even Latins pleaded to be admitted as citizens, because they resided in some colony of citizens, proves the reverse of what Sigonius maintains, viz. that citizens removing to colonies were disfranchised. Supposing that the passage, as quoted by Sigonius, might have been the reading in some copy he had consulted, I turned to his own edition, but even there did not find his quotation confirmed.

The fact is, that, in the time of Livy and other historians, the distinction between Roman citizens, whether of the city or of the colonies, and the other inhabitants of Italy, was become a matter of antiquity and of mere curiosity; and therefore is not by them so fully and distinctly stated, as not to admit of dispute. The colonists ceasing to attend at elections, or in the Assemblies of the People, and not giving in their names at the musters, subjected themselves to all the effects of positive exclusion, although it is probable no such exclusion had taken place; for even aliens were not excluded by any positive law, and might be admitted on the rolls at the discretion of the officer who presided in the muster. Antiquarians, in search of ancient constitutions, sometimes suppose that rules must have existed, in order to have the pleasure of conjecturing what they were.

CHAP. when abroad in the field ¹. Yet, under all these
 III. defects, as we have repeated occasion to observe, they enjoyed the most envied distinction of nations, continual prosperity, and an almost uninterrupted succession of statesmen and warriors elsewhere unequalled in the history of mankind.

U. C. 465. In about one hundred years from the time at which Rome began to be restored from the ruins in which it was laid by the Gauls, this adventurous people extended their sovereignty from the farthest limits of Tuscany on the one side, to the sea of Tarentum and the straits of Messina on the other; and as the contest of parties led to a succession of political establishments at home, their frequent wars suggested the policy which they adopted respecting foreign nations, and the distribution of their own settlements abroad.

They had for some time discontinued the practice of receiving prisoners of war into the number of their people; but continued that of extending and securing their own acquisitions, by colonies from Rome or its territory, in whom they could most securely confide. They exacted from the cantons of Italy which they vanquished, contributions of subsistence and clothing for the benefit of their armies; and they generally imposed some condition

1. The Consul C. Marcius, U. C. 398, being encamped at Sutrium in Etruria, assembled his army in their Tribes, and passed a law to raise the twentieth penny on the price of every slave that should be manumitted. The Senate, being pleased with the tax, confirmed the act; but the Tribunes, alarmed at the precedent, obtained a resolution, by which it was declared for the future to be a capital crime for any person to propose any law in such detached or partial Assemblies of the People, (Liv. lib. vii. c. 16.).

condition of this sort as a preliminary to every negotiation or treaty of peace ¹. CHAP.
III.

Their forces consisted, nearly in equal parts, of native Romans, and of their allies in Italy. The legion, says Livy, had been formerly arrayed in a continued line, or compacted column ²; but, in the course of the wars which led to the conquest of Italy, came to be formed in divisions, and had different orders of light and heavy-armed infantry, as well as cavalry. The light-armed infantry were called the Velites, and were supposed to ply in the front, on the flank, or in the rear of the army; and their service was, to keep the heavy-armed foot undisturbed by missiles till they came into close action with the enemy. U. C. 475.

The heavy-armed foot consisted of three orders, called the Hastati, Principes, and Triarii; of whom each had its separate divisions or maniples; and maniples of the different orders were placed in three different rows, and at distances from each other, equal to the front of the division. By this disposition the maniples of the first and second row could either act separately, or, by mutually filling up their intervals, could complete the front, leaving the Triarii, in time of action, as a body of reserve, to support the line, or fill up the place of any manipule that might be forced by the enemy. And, in order to facilitate occasionally this change of disposition, the divisions of one row faced the

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intervals

¹ Liv. lib. viii. c. 1. & 2. Lib. ix. c. 43. Lib. x. c. 5. & 37.

² Liv. lib. viii. c. 2.

CHAP. intervals of the other¹. They were armed with
 III. the pilum, which was a heavy javelin or spear to
 be

¹ This account of the Roman legion is not without its difficulties. It appears irrational to break and disperse the strength of a body in this manner; and Cæsar makes no mention of any such distinction of orders, of the maniples, of the rows in which they were formed, or of the intervals at which they fought. His legion consisted of ten cohorts, formed from right to left on a continued front. Polybius, however, one of the best military historians, and himself an eye-witness of the disposition of the Roman legion in action, as well as on the parade, is very explicit in this account of it; of these two authorities, neither can be questioned: but they refer to different times. Polybius's cannot be mistaken or misunderstood, he refers to his order of the legion, in the description of the Roman march, (Polyb. lib. vi. c. 38.), in the description of every battle, (Polyb. lib. iii. c. 1, 2, 3, 4.), and (Polyb. lib. xv. c. 10.) in stating the comparative advantages of the Roman legion and Macedonian phalanx, (Polyb. lib. xvii. c. 28.). The phalanx being a column of indefinite depth, close ranks, and a continued front, with lances or spears, it was impregnable to the short sword and loose order of the Romans, so long as it preserved its front entire, and so long as the spear-man made no opening for the Roman soldier to enter within the point of his weapon.

It is observed that the Romans made their attack in separate divisions and at intervals, in order to bring on some irregularity in the front of the phalanx, and in order to make some openings by which the Roman soldier could enter with his sword, and, being once within the point of his enemy's spear, could perform great slaughter with little resistance, (Plutarch in vit. P. Emili. Liv. lib. xlv. c. 41. Neque ulla evidentiore causa victoriæ fuit quam quod multa passim prælia erant quæ fluctuantes turbarent primo, deinde disjecerunt phalanges). From this account, then, it is probable, that the Romans did not divide their legion into orders and maniples, nor fight at intervals, until after they adopted the short-stabbing sword, which is said to have been originally from Spain; and that they continued to make this disposition so long only as they had to do with enemies who used the spear and continued front; that after the social war in Italy and their own civil wars began, they discontinued the separate maniples, and fought to strengthen themselves against an army like their own, by presenting a continued front. Livy accordingly marks the time at which the formation of maniples, at intervals, was adopted. Polybius marks the continuance of it, and Cæsar evidently marks the discontinuance of it. It is extremely probable, that the last change was one of those made by Marius, and was introduced into the Roman armies in the social war.

The three orders of Hastati, Principes, and Triarii, were extremely proper to mark the distinction of classes subsisting among Roman citizens, who were, nevertheless,

be cast at the enemy, and with a short and massy sword fitted to strike or to thrust. They bore an oblong shield, four feet high by two and a half feet broad, with a helmet, breastplate, and greaves. CHAP. III.

In the structure of these weapons and this defensive armour, the Romans consulted at once both the principal sources of courage in a soldier, his consciousness of the means to annoy his enemy, and of a power to defend himself. With these advantages they continued for ages to prevail in most of their conflicts, and were the model which other nations endeavoured to imitate¹ in the form of their armies and in the choice of their weapons.

It is understood in the antiquities of this People, that when they were assembled for any purpose, whether of state or of war, they were termed the Army. In their musters a Plebeian was a foot soldier, the Knight a horseman, and the Legion a mere detachment of the whole, draughted for the year, or embodied for a particular service. The men, as well as the officers, in the first period of the History of the Republic, were annually relieved or exchanged; and even after it ceased to be the practice thus annually to relieve the private men, and after the same legions were employed during a succession of some years, yet the People,

G 3

to

nevertheless, all of them equally bound, on occasion, to serve in the condition of private soldiers; And this may be one reason to incline us to ascribe the discontinuance of this distribution to Marius, who was a great leveller of ranks.

¹ Polyb. lib. vi. c. 17, 18, 19, 20, 21, 22, 23, 24.

CHAP. to the latest period of the commonwealth, continued to form the armies of their country; and the officer of state was still understood to command in virtue of his civil magistracy, or in virtue of a military qualification and rank which never failed to accompany his office. No citizen could aspire to any of the higher stations in the commonwealth, until he had been enrolled in the Legions, either ten years if on horseback, or sixteen years if on foot; and, notwithstanding the special commissions that were occasionally given for separate objects of state or of war, civil and military rank were never disjoined. Equal care was taken to furnish the rising statesman and warrior with the technical habits of either profession; or rather to instruct him, by his occasional application to both, not to mistake the forms of office in either for the business of state or of war, nor to rest his pretensions to command on any accomplishment short of that superior knowledge of mankind, and those excellent personal qualities of penetration, sagacity, and courage, which give the person possessed of them an ascendant, whether as a friend or as an enemy, in any scene or department of human affairs. It may be difficult to determine, whether we are to consider the Roman establishment as civil or military; it certainly united, in a very high degree, the advantages of both, and continued longer to blend the professions of state and of war together, than we are apt to think consistent with that propriety of character which we require in each: but to this very circumstance,

circumstance, probably, among others, we may safely ascribe, in this distinguished republic, the great ability of her councils, and the irresistible force with which they were executed ^{CHAP. III.} ^{1.}

During a period of about one hundred and twenty years after the rebuilding of Rome, the Romans were engaged in a continual series of wars; first with the Latins and with their own colonies, who wished to disengage themselves from so unequal an alliance; afterwards with the Etruscans on the one hand, and with the Samnites, Campanians, and Tarentines on the other. They quarreled with the Samnites first in behalf of the Campanians, who, in order to obtain the protection of Rome, made a surrender of themselves and of all their possessions. This act of submission the Romans afterwards had occasion to enforce against the Campanians themselves, who endeavoured, when too late, to recover their independence.

The Samnites were a fierce nation, inhabiting that tract of the Appenines which extends from the confines of Latium to those of Apulia; and who, to the advantages of their mountainous situation, joined some singular and even romantic institutions², which enabled them, during above forty

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¹ Polyb. lib. vi. c. 17.

² Of this sort it is mentioned, that ten of the fairest of one sex were annually selected as prizes to be won by the bravest and most deserving of the other. Strabo, lib. v. fin. The Samnites furnished Roman generals with the subject of twenty-four triumphs, but mixed with checks and disgraces more remarkable than any they had received in the course of their wars with any other nations. Florus, lib. i. c. 16.

CHAP. ty years, from the time at which their wars with
 III. the Romans began, to maintain the contest; and
 to keep the balance of power in suspense.

During the dependence of this quarrel, the Roman armies frequently penetrated into Lucania and Apulia, and before they had reduced the Samnites, were known as protectors and allies, or had forced their passage as conquerors to the southern extremities of Italy. And the State itself, under a variety of titles, was in reality the head, or held a species of sovereignty over all the nations who occupied that part of the peninsula.

The city of Tarentum, the most powerful of all the Greek settlements in this quarter, having neglected her military establishments in proportion as she advanced in the arts of peace, was alarmed at the near approach of the Romans, and applied
 U. C. 473. for protection to Pyrrhus the King of Epirus, at that time greatly distinguished among the military adventurers of Macedonia and Greece. They wished to employ the military skill of this prince, without being exposed to fall a prey to his ambition; and invited him to come, without any army of his own, to take the command of their people, whose numbers they magnified, in order to induce him to accept of their offer. But, like most foreign military protectors, he appears to have had, together with many schemes of ambition against those on whom he made war, some designs likewise on the State he was brought to defend. With
 this

this double intention he did not rely on the forces of Tarentum, but passed into Italy at the head of a numerous army, formed on the model of the Macedonians, and accustomed to service in the wars of that country and of Greece. CHAP.
III.

This is the first enemy whose forces can be considered as a known measure, with which to compare, or by which, in this early period of their history, we can estimate the power and military attainments of the Romans. They had been victorious in Italy, but the character and prowess of the enemies they had vanquished are unknown. This prince knew the arts of war as they were practised in Macedonia and in Greece, and was reputed one of the first captains of that or any other age¹. He accordingly prevailed over the Romans in some of their first encounters; but found that partial victories did not subdue this people, nor decide the contest. Having vast schemes of ambition in Sicily and Africa, as well as in Italy, he suddenly suspended his operations against the Romans, to comply with an invitation he received from Syracuse, to possess himself of that kingdom in behalf of his son, who had some pretensions to the crown in the right of Agathocles, from whom he was descended.

In order to pursue this object, he endeavoured

¹ Pyrrhus, it is said, was struck with the military aspect of the Romans, and admired in particular the form of their encampments. The Greeks always endeavoured to avail themselves of natural strengths, and accommodated the disposition of their camp to the ground; but the Romans, trusting only to their artificial works, pitched on the plain, and never varied the form of their encampments. Plutarch in vit. Pyrrh.

CHAP. to obtain a peace or cessation of arms in Italy ;

III.

but was told, that, in order to treat with the Romans, he must evacuate their country and return to his own *. With this answer he passed into Sicily ; and after some operations which were successful, though not sufficiently supported by his partizans in that country to obtain the end of his expedition, he returned again into Italy for the defence of Tarentum ; but found that during his absence the Romans had made a considerable progress, and were in condition to repay the defeats they had suffered in the beginning of the war. Having brought this matter to the proof in several encounters, he committed the defence of Tarentum to one of his officers ; and after this fruitless attempt to make conquests beyond the Ionian Sea, in which he had employed six years, he returned to his own country.

U. C. 481.

The Romans continuing the war against Tarentum, in about two years after the departure of Pyrrhus from Italy, made themselves masters of the place. Here, it is mentioned, that they found, for the first time, the plunder of an opulent city, containing the models of elegant workmanship in the fine arts, and the apparatus of an exquisite luxury. “ In former times,” says Florus, “ the victorious generals of Rome exhibited in their triumphs herds of cattle driven from the Sabines and the Volsci, the empty cars of the Gauls, and broken arms of the Samnites : but in that
“ which

* Liv. Epitome, lib. xlii. Plutarch in vit. Pyrrh.

“ which was shewn for the conquest of Tarentum,
 “ the procession was led by Theſſalian and Mace-
 “ donian captives, followed with carriages loaded
 “ with precious furniture, with pictures, ſtatues,
 “ plate, and other ornaments of ſilver and gold.”

Spoils which, we may gueſs, in the firſt exhibition of them, were valued at Rome more as the public trophies of victory, than felt as the baits of private avarice, or the objects of a mean admiration. The Roman citizen as yet lived content in his cottage, furniſhed in the rudeſt manner; and he ſubſiſted on the ſimpleſt fare, the produce of his own labour. Curius Dentatus, the Conſul who obtained this triumph, for the reduction of Tarentum, having the offer of fifty *jugera* as a reward from the public for his ſervices, would accept of no more than ſeven. This, he ſaid, is the ordinary portion of a citizen, and that perſon muſt be an unworthy member of the commonwealth who can wiſh for more².

From the conquest of Tarentum the Romans U. C. 481.
 may be conſidered as the ſovereigns of Italy, al-
 though

1. Florus, lib. i. c. 18.

2 A Roman citizen in this period might, by the law of Licinius, have an eſtate of five hundred *jugera*, or about three hundred acres; but the ordinary patrimony of a noble family was probably far below this meaſure; and the lot of a citizen in the new colonies ſeldom exceeded ſeven *jugera*. The people were lodged in cottages and ſlept on ſtraw. (Plin. lib. xviii. c. 3. Cicer. pro Roſſio, Val. Max. lib. iv. c. 3.). The Romans, till a little before the ſiege of Tarentum, had no coin but copper, and eſtimated property more commonly by the head of cattle than by money. They coined ſilver for the firſt time U. C. 485. For gold it was known as a precious material, and was ſometimes joined with oxen in the reward of diſtinguiſhed ſervices. Liv. lib. iv. c. 30. Ibid. Epitome, lib. xv.

CHAP.
III.

though their dominion was extremely ill defined, either in respect to its nature or to its extent. They but in a few instances laid claim to absolute sovereignty, and least of all over those who were most submissive to their power. It was their maxim to spare the obsequious, but to crush the proud¹; an artful profession, by which, under the pretences of generosity and magnanimity, they stated themselves as the sovereign nation. Under this presumptuous maxim their friendship was to be obtained by submission alone; and was, no less than their enmity, fatal to those who embraced it. The title of ally was, for the most part, no more than a specious name, under which they disguised their dominion, and under which they availed themselves of the strength and resources of other nations, with the least possible alarm to their jealousy or pride.

With the Latins they had early formed an alliance offensive and defensive, in which the parties mutually stipulated the number of troops to be furnished by each; the respective shares which each was to have in the spoils of their common enemies, and the manner of adjusting any disputes that might arise between them. This was the league which the Latins were supposed to have so frequently broken, and of which the Romans so often exacted the observance by force².

In the first struggles which they made to restore their settlement after its destruction by the Gauls, and

¹ *Pareere subjectis et debellare superbos.*

² *Dionys. Hal. lib. vi. p. 415. Liv. lib. vi. c. 10. lib. ix. c. 43.*

and in the subsequent wars, which during an hundred years they had to maintain, in support of their new establishment, different cantons of these original confederates, as well as many of their own colonies, had taken very different parts, and in the treaties which ensued, obtained, or were sentenced to, different conditions; some were admitted to the freedom of Rome, and partook in the prerogative of Roman citizens. A few were, by their own choice, in preference to the character of Roman citizens, permitted to retain the independency of their towns, and were treated as allies. Others, under pretence of being admitted to the freedom of Rome, though without the right of suffrage, were deprived of their corporation establishments, and with the title of Citizens, treated as subjects. A few were subjected in form to a military power, and had a Præfect or Governor annually sent from Rome¹.

From

¹ The city of Capua, together with its district of Campania, was the first example of a provincial government established by the Romans in any of their conquests. The Campanians, in order to be protected against the Samnites, had delivered themselves up to the Romans. But they soon after became sensible of their own folly, in trusting their defence to any force but their own, or in resigning their power as a State, with a view to preserve any thing else. When they perceived this error, they endeavoured, in conjunction with some of their neighbours, to form a party against their new masters; and being defeated in their attempts to recover their independence, were treated with the severity that is commonly employed against rebel subjects. Their Senate and popular assembly, under pretence of suppressing seminaries of faction, were abolished, and a Præfect or Governor annually appointed, (Liv. lib. ix. c. 20.). A similar course, under the same pretence, was soon after taken with Antium, (Liv. lib. ix. c. 21.). This had been the principal support of the Volsci, and long the head of many formidable combinations against the Romans.

CHAP.
III.

From this unequal treatment arose the variety of conditions by which the natives of Italy were distinguished, as Colonies, Municipal Towns, Allies, Præfectures, or Provincial Governments, until about 181 years after this date, when, as will be mentioned in the sequel, the whole was settled or raised to the same level, by the general admission of all the Italians upon the rolls of the People, or citizens of Rome.

CHAP.

C H A P. IV.

Limits of Italy.—Contiguous Nations.—Ligurians.—Gauls.—Greek and Phœnician Colonies of Gaul and Spain.—Nations of Illyricum.—Of Greece.—Achaean League.—Thebans.—Athenians.—Asiatic Nations.—Pergamus.—Syria.—Egypt.—Carthage.—The Mamertines of Messina.—Occasion of the first War with Carthage.—Losses of the Parties.—Peace.—State of the Romans.—Political or Civil Institutions.—Colonies.—Musters.—Operation on the Coin.—Increase of the Slaves.—Gladiators.—Different Results of the War at Rome and Carthage.—Mutiny and Invasion of the Mercenaries at Carthage.—End of this War.—Cession of Sardinia.—War with the Illyrians.—First Correspondence of Rome with Greece.

AS the Romans, at the time to which our nar- CHAP.
IV.
U. C. 487
ration is brought, were become the sove-
reigns of Italy, or, by their ascendant in so advan-
tageous a situation, were enabled to act a distin-
guished part in every transaction which concerned
the condition of nations in that country; it is pro-
per in this place to carry our observation beyond
the boundaries of that peninsula, and to enumerate
the powers that were then established on different
sides of it, or beyond the narrow seas by which it
was nearly surrounded.

Italy was not then supposed to comprehend the
whole of that tract which has in later times been

known

CHAP, known under this name. Being bounded, as at
 IV. present, on the south and east by the seas of Sicily and the bay of Tarentum, it extended no farther to the north-west than to the Arnus on the one hand, and to the Rubicon on the other. Beyond these limits the western coasts were inhabited by a number of tribes, which, under the name of Ligurians, occupied the descents of the Appenines and the south of the Alps quite to the sea-shore. On the other side of the Appenines, from Senegallia to the Alps, the rich and extensive plains on both sides of the Po were in the possession of Gaulish nations, who were said, some centuries before, to have passed the mountains, and who were then actually spread over a fertile tract of more than twelve hundred miles in circumference. They consisted of nine different hordes, which were supposed to have passed the Alps at different times. Of these the Lebecii, Insubres, Cenomani, and Veneti, occupied the northern banks of the Po, including what are now the states of Milan, Venice, and other parts of Lombardy on that side of the river. The Anianes, Boii, Ægones, and Senones, were settled to the southward, from the Po to the descents of the Appenines, and on the coasts of the Hadriatic to Senegallia, over what are now the states of Parma, Modena, Bologna, and Urbino. In this favourable situation they appear to have abated much of their native ferocity, though without acquiring, in any considerable degree, the arts that improve the conveniencies of life. They fed chiefly

chiefly on the milk or the flesh of their cattle, and were occupied entirely in the care of their arms and of their herds. By these, and the ornaments of gold, of which they were extremely fond, they estimated their riches. They were divided into Tribes or Cantons, and lived in cottages huddled together, without any form of towns or of villages; had a leader in every horde, who was distinguished by his retinue, or valued himself chiefly on the number of his followers. They made considerable encroachments on the states of Etruria and Umbria; but were at last encountered, and stopped in their progress, by the Romans; so much, that all the settlements of these nations within the Rubicon, and from thence to Senegallia, had, about three years before the arrival of Pyrrhus in Italy, been obliged to acknowledge the sovereignty of Rome.

The coasts of the Mediterranean, to the westward of Italy, had been known to the nations of Greece and of Asia, and had received many colonies from thence in the form of trading settlements, which remained altogether distinct from the natives. Such were the Greek colonies at Marseilles, Emporiæ, Saguntum, and, even on the coasts of the ocean, such was the Tyrian colony at Gades in Spain. On the other side of Italy, and round the Adriatic, were distributed a number of small nations, the Istrians, Dalmatians, and Illyrians; of which, at the time when the Romans became acquainted with the navigation of this gulf, the Illyrians, be-

CHAP. ing the chief or principal power in that quarter,
 IV. extended eastward to the confines of Macedonia.

U. C. 421. The fine age of Greece was past, and Alexander the Great had finished the career of his victories about sixty years before this date. His hereditary dominions, as well as his personal conquests, were dismembered, and become the patrimony of officers, who had learned under him to affect the majesty and the power of kings. Macedonia was governed by Antigonus Dozon, who, together with the principality of Pella, held in dependence on himself Epirus, Thessaly, and Greece, to the Isthmus of Corinth. He had contended with Pyrrhus, the late invader of Italy, for part of this territory; and, by the death of his antagonist, was now in possession of the whole.

In one part of the coast of the Ionian Sea, and on the Gulf of Corinth, were settled the Etolians, who, during the prosperity of Greece, had been an obscure and barbarous horde; but had now, by the confederacy of a number of cantons, laid many districts around them under contribution, and acted a distinguished part in the wars and transactions which followed.

On the other side of the Gulf of Corinth a similar confederacy was formed by the Achæan league. The name of Achaia, in the fabulous ages, was the most general denomination of Greece. When other names, of Dorians and Ionians, of Athenians and Spartans, became more distinguished, the name of Achæans was appropriated to the tribes who occupied

occupied the southern coast, on the Gulf of Corinth, from Elis to Sicyon. On this tract twelve little cantons, Dymæ, Phara, Tritæa, Rhipes, Thasium, Patræ, Pellene, Ægium, Bura, Carynia, Olenos, and Hellice¹, having changed their government from principalities to republics, entered into a league, or confederacy, for common defence. Hellice had been, from time immemorial, the seat of their assembly; but this place having been overwhelmed by an inundation of the sea, their meetings were transferred to Ægium.

In the more celebrated times of Sparta, Athens, and Thebes, these little cantons being situated on a poor and rocky shore, without shipping and without harbours², were of little consideration in the history of Greece; they took no part in the defence of that country from the invasions of Darius, or of Xerxes, and were not mentioned in the divisions that followed under the hostile banners of Sparta and of Athens. They began, however, to appear in support of the liberties of Greece against Philip, the father of Alexander, and partook with the other Greeks in the defeat which they received from that prince at Chæronea, and in all its consequences. Their league was accordingly dissolved by the conqueror, and some of their cantons separately annexed to the Macedonian monarchy. But about the time that Pyrrhus invaded Italy, Dymæ, Patræ, Phara, and Tritæa found an opportunity to renew their ancient confederacy.

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They

¹ Pausanias, lib. vii. c. 6.² Plutarch, in Vit. Arat, p. 321.

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IV.

They were joined in about five years afterwards by the canton of Ægium, and successively by those of Bura and Carynia. These, during a period of about twenty years, continued to be the only parties in this famous league. They had a general congress, at which they originally elected two annual officers of state, and a common secretary. They afterwards committed the executive power to one officer; and, under the famous Aratus of Sicyon, united that republic, together with Corinth and Megara, to their league.

About the time at which the Romans became masters of Tarentum, this combination was become the most considerable power of the Peloponnesus, and affected to unite the whole of it under their banners; but Sparta, though greatly fallen from the splendour of her ancient discipline and power, was still too proud, or too much under the direction of her own ambitious leaders, to suffer herself to be absorbed in this upstart confederacy; she continued for some time its rival, and was at last the cause, or furnished the occasion, of its fall.

The Thebans and Athenians, though still pretending to the dignity of independent nations, were greatly reduced, and ready to become the prey of any party, who, breaking through the other barriers that were still opposed to the conquest of Greece, was sufficiently powerful to reach them.

In Asia, a considerable principality was formed round the city of Pergamus, and bore its name.

Syria

x Polyb. lib. ii. c. 3. and Pausanias, lib. vii.

Syria was become a mighty kingdom, extending from the coasts of Ionia to Armenia and Persia. This kingdom had been formed by Seleucus Nicanor, a principal officer in the army of Alexander, and it was now in the possession of his son, Antiochus Soter.

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Egypt, in the same manner, had passed from the first Ptolemy to his son Philadelphus, who, upon the expulsion of Pyrrhus from Italy, had entered into a correspondence with the Romans. This kingdom included the island of Cyprus; and having some provinces on the continent of Asia, extended on the south and the west from Cælo-Syria, of which the possession was still disputed by Antiochus, to the sandy deserts of Lybia. Beyond these deserts, on the coasts of the Mediterranean, and almost opposite to the island of Sicily, lay the famous republic of Carthage, now sovereign of a considerable territory in the midst of petty African monarchies, out of which the great kingdom of Numidia was afterwards formed.

The city of Carthage is said to have been founded about one hundred years earlier than Rome, was now unquestionably farther advanced in the commercial and lucrative arts, and superior to Rome in every resource, besides that which is derived from the national character, and which is the consequence of public virtue.

In respect to mere form, the constitution of both nations was nearly alike. They each had a senate and popular assemblies, and annually elected two

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officers of state for the supreme direction of their civil and military affairs¹. Even at Carthage the collateral members of government were so fortunately balanced, as to have stood for ages the shock of corrupt factions, without having suffered any fatal revolution, or without having fallen into either extreme of anarchy or tyrannical usurpation. The frequent prospect indeed, which this commonwealth had, of incurring these evils, joined to the influence of a barbarous superstition, which represented the gods as delighted with human sacrifices, probably rendered the temper of the people in so high a degree inhuman and cruel. Under the sanguinary policy of this state, it was common for officers to be adjudged, in case of mistakes or want of capacity, as well as of crimes, to expire on the cross, or to suffer some other horrible punishment equally odious and unjust².

The Carthaginians being settled on a peninsula, and at first without sufficient land or territory to maintain any considerable numbers of people, applied themselves to such arts as might procure a subsistence from abroad; and in process of time, upon the destruction of Tyre, became the principal merchants and carriers to all the nations inhabiting the coasts of the Mediterranean Sea. Their situation, so convenient for shipping, was extremely favourable to the pursuit of trade; and their success in it soon put them in possession of a territory

¹ Aristob. Polit. lib. ii. c. 11.

² Orosius, lib. iv. c. 6.

territory by which they became a landed as well as a naval power. They passed into Spain, under pretence of giving support and assistance to the city of Gades, which, like themselves, was a colony from Tyre. They became masters of Sardinia, and had considerable possessions in Sicily, of which they were extremely desirous to seize the whole. From every part of their acquisitions they endeavoured to derive the profit of merchants, as well as the revenue of sovereigns.

In this republic, individuals had amassed great fortunes, and estimated rank by their wealth. A certain measure of property was required to qualify a citizen for the higher offices of state; and, in the canvas for elections, every preferment, whether civil or military, was venal¹. Ambition itself, therefore, became a principle of avarice, and every Carthaginian, in order to be great, was intent to be rich. Though the interests of commerce should have inculcated the desire of peace, yet the influence of a few leading men in the state, and even the spirit of rapacity which pervaded the people, the necessity to which they were often reduced of providing settlements abroad for a populace who could not be easily governed at home, led them frequently into foreign wars, and even engaged them in projects of conquest. But notwithstanding this circumstance, the community stifled or neglected the military character of their own citizens, and had perpetual recourse to foreigners,

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reigners,

¹ Polyb. lib. vi. c. 54.

CHAP. IV. reigners, whom they trusted with their arms, and made the guardians of their wealth. Their armies, for the most part, were composed of Numidians, Mauritanians, Spaniards, Gauls, and fugitive slaves from every country around them. They were among the few nations of the world who had the ingenuity, or rather the misfortune, to make war without becoming military, and who could be victorious abroad, while they were exposed to be a prey to the meanest invader at home.

Under this wretched policy, however, the first offices of trust and command being reserved for the natives, though the character of the people in general was mean and illiberal, yet a few, being descended of those who had enjoyed the higher honours of the state, seemed to inherit the genius of statesmen and warriors. Instead of suffering by the contagion of a mercenary spirit, the nobles of Carthage perhaps derived some additional elevation of mind from the contrast of manners they were taught to despise. And thus, though the State, in general, was degenerate, a few of its members were qualified for great affairs. War, and the other objects of state, naturally devolved on such men, and occasionally rendered them necessary to a sedentary or corrupted people, who, in ordinary times, were disposed to slight their abilities, or to distrust their power. They became unfortunately a party for war in the councils of their country, as those who were jealous of them became, with still less advantage to the public, a party for peace ;

or,

or, when at war, a party who endeavoured to em- CHAP.
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barrafs the conduct of those in power ; and, under the effects of misfortune, were ever ready to purchase tranquillity by the most shameful and dangerous concessions.

Carthage being mistress of the sea, was already long known on the coasts of Italy : she had treaties subsisting with the Romans above two hundred years, in which they mutually settled the limits of their navigation, and the regulations of their trade. And the Romans, as parties in these treaties, appear to have had intercourse with foreign nations by sea, earlier than is stated in the other parts of their history.

In the first of those treaties, which is dated in U. C. 344. the consulate of L. Junius Brutus and M. Horatius, the first year of the Commonwealth, the Romans, unless they were forced by an enemy, or by stress of weather, engaged not to advance on the coast of Africa beyond the Fair Promontory, which lay about twenty leagues to the westward of the Bay of Carthage.

It was agreed, that, even in these circumstances, they should remain no longer than five days, and supply themselves only with what might be necessary to refit their vessels, or to furnish them with victims for the usual sacrifices performed at sea. But that in Sardinia, and even in Africa, to the west of this boundary, they should be at liberty to trade and to dispose of their merchandize without paying any duties besides the fees of the crier
and

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IV.

and clerk of sale; and that the public faith should be pledged for the payment of the price of all goods sold under the inspection of these officers.

That the ports of Sicily should be equally open to both nations.

That the Carthaginians, on their part, should not commit any hostilities on the coast of Latium, nor molest the inhabitants of Ardea, Antium, Laurentium, Circeii, Terracina, or of any other place in alliance with Rome; that they should not attempt to erect any fortrefs on that coast; and that, if they should land at any time with an armed force, they should not, upon any account whatever, remain a night on shore.

By a subsequent treaty, in which the states of Utica and Tyre are comprehended as allies to both parties, the former articles are renewed with additional limitations to the navigation and trade of the Romans, and with some extension to that of the Carthaginians. The latter, for instance, are permitted to trade in the ports of Latium, and even to plunder the natives, provided they put the Romans in possession of any strong-holds they should seize on the coast; and provided they should release, without ransom, such of the allies of the Romans as became their prisoners.

U. C. 474.

Upon the arrival of Pyrrhus in Italy, with an armament which equally alarmed both nations, the Romans and Carthaginians again renewed their treaties with an additional article, in which they

they agreed mutually to support each other against the designs of that prince, and not to enter into any separate treaty with him inconsistent with this defensive alliance : and farther stipulated, that, in the wars which were expected with this enemy, the Carthaginians, whether as principals or auxiliaries, should furnish the whole of the shipping, both transports and armed galleys ; but that the expence of every armament should be defrayed at the charge of that party in whose behalf it was employed.

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In observance probably of the last of these treaties, and by mutual concert, though with considerable jealousy and distrust of each other, the forces of these nations combined in reducing the garrison which Pyrrhus had left at Tarentum. Each had their separate designs on the place ; and when its fate was determined, from thenceforward considered the other as the most dangerous competitor for dominion and power. Pyrrhus, even when they were joined in alliance against himself, is said to have foreseen their quarrels, and to have pointed at the island of Sicily as the first scene of their contest.

In that island the Carthaginians were already in possession of Lylibæum, with other posts of importance, and had a design on the whole. The Romans were in sight of it ; and by their situation at Rhegium, commanded one side of the Straits. The other side was occupied by the Mamertines, a race of Italian extraction, who, being placed at
Messina,

CHAP. IV. Messina by the king of Syracuse to defend that station, barbarously murdered the citizens, and took possession of their habitations and effects.

This horrid action was afterwards imitated by a Roman legion posted at Rhegium during the late wars in Italy: these likewise murdered their hosts, and seized their effects; but were punished by the Romans, for this act of cruelty and treachery, with the most exemplary rigour. They were conducted in chains to Rome, scourged, and beheaded by fifties at a time. The crime of the Mamertines was resented by the Sicilians in general with a like indignation; and the authors of it were pursued, by Hiero king of Syracuse in particular, with a generous and heroic revenge. They were, at length, reduced to such distress, that they resolved to surrender themselves to the first power that could afford them protection. But, being divided in their choice, one party made an offer of their submission to the Carthaginians, the other to the Romans. The latter scrupled to protect a crime of which they had so lately punished an example in their own people¹. And, while they hesitated on the proposal that was made to them, the Carthaginians, favoured by the delay of their rivals, and by the neighbourhood of their own military stations, got the start of their competitors, and were received into the town of Messina.

This unexpected advantage gained by a power of

¹ Polyb. lib. i. c. 10.

of which they were jealous, and the danger of suffering a rival to command the passage into Italy, removed the scruples of the Romans; and the officer who had charge of their forces in the contiguous parts of the country, was ordered to assemble all the shipping that could be found on the coast from Tarentum to Naples, to pass with his army into Sicily, and endeavour to dispossess the Carthaginians from the city of Messina.

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As soon as this officer appeared in the road with a force so much superior to that of his rivals, the party in the city, that favoured the admission of the Romans, took arms, and forced the Carthaginians to evacuate the place¹.

Here commenced the first Punic war, about ten years after the departure of Pyrrhus from Italy, eight years after the surrender of Tarentum, and in the four hundred and ninetieth year of Rome. In this war, the first object of either party was no more than to secure the possession of Messina, and to command the passage of the Straits which separate Italy from Sicily; but their views were gradually extended to objects of more importance, to the sovereignty of that island, and the dominion of the seas.

The contest in which they were now engaged was likely to be extremely unequal. On the one side appeared the resources of a great nation, collected from extensive dominions, a great naval force, standing armies, and the experience of exertions made

¹ Polyb. lib. i. c. 12.

CHAP. made at a distance. On the other, the mere fero-
 IV. city or valour of a small State, hitherto exerted only against their neighbours of Italy, who, though subdued, were averse to subjection, and not in condition to furnish the necessary supplies for a distant war; without commerce or revenue, without any army but what was annually formed by detachments from their own people, and without any officers besides the ordinary magistrates of the city; engaged, in short, in a war at sea, without any naval force, or experience of continued and remote operations.

Notwithstanding these unpromising appearances on the side of the Romans, the commanding aspect of their first descent upon Sicily procured them not only the possession of Messina, but soon after determined Hiero, the king of Syracuse, hitherto in alliance with the Carthaginians, to espouse their cause, to supply their army with provisions, and afterwards to join them with his own. Being thus reinforced by the natives of Sicily, they were enabled to recal part of the force with which they began the war; continued, though at a less expence, to act on the offensive; and drove the Carthaginians from many of their important stations in the island.

While the arms of the Romans and of Hiero were victorious by land, the Carthaginians continued to be masters of the sea, kept possession of all the harbours in Sicily, overawed the coasts, ob-

structed

fructed the military convòys from Italy, and alarmed that country itself with frequent descents. It was evident, that, under these disadvantages, the Romans could neither make nor preserve any maritime acquisitions ; and it was necessary, either to drop the contest in yielding the sea, or to endeavour, on that element likewise, to cope with their rival. Though not altogether, as historians represent them, unacquainted with shipping, they were certainly inferior to the Carthaginians in the art of navigation, and altogether unprovided with ships of force. Fortunately for them, neither the art of navigation, nor that of constructing ships, was yet arrived at such a degree of perfection as not to be easily imitated by nations who had any experience or practice of the sea. Vessels of the best construction hitherto known were fit to be navigated only with oars, or in a fair wind and on a smooth sea. They might be built of green timber ; and, in case of a storm, could run ashore under any cover, or upon any beach that was clear of rocks. Such ships as these the Romans, without hesitation, undertook to provide. Having a Carthaginian galley accidentally stranded at Messina for a model, it is said, that, in sixty days from the time that the timber was cut down, they fitted out and manned for the sea one hundred galleys of five tier of oars, and twenty of three tier. Vessels of the first of these rates carried three hundred rowers, and two hundred fighting men.

The manner of applying their oars from so many tiers,

CHAP. tiers, and a much greater number which they some-
 IV. times employed, has justly appeared a great difficulty to the mechanics and antiquaries of modern times, and is confessedly not well understood.

The Romans, while their gallies were building, trained their rowers to the oar on benches that were erected on the beach, and placed in the form of those of a real galley¹. And being sensible that the enemy must be still greatly superior in the management of their ships and in the quickness of their motions, they endeavoured to deprive them of this advantage, by preparing to grapple, and to bind their vessels together. In this condition the men might engage on equal terms, fight from their stages or decks as on solid ground, and the Roman buckler and sword have the same effect as on shore.

With an armament thus forced into use, and even unfortunate in its first attempts, they learned, nevertheless, by perseverance, to vanquish the masters of the sea on their own element; and not only protected the coasts of Italy, and supported their operations in Sicily, but, with a fleet of three hundred and thirty sail, though still inferior in number to their enemy, obtained a signal victory at sea; in the sequel of which a Roman army was landed in Africa, and, profiting by the mistake of their enemy, in taking ground that was unfit for the operation of elephants and horse, in which great part of their strength consisted, put them to route, opening the way to the very gates of Carthage.

¹ Polyb. lib. i. c. 20, 21.

thage. The Roman Consul buoyed up with so much success, and wishing to have the honour of terminating the war before the arrival of a successor to share it with him, offered to treat with the vanquished, but on terms so extravagant as could not be accepted. In the mean time the Carthaginians recovered from the effects of their late defeat, and being led by Xantippus, a Spartan citizen, trained in the manner of his country to matters of state and of war, retaliated on the Romans with great slaughter. In this fatal defeat, the famous Consul Regulus became a captive, and most of his army was either killed or taken; and what is perhaps still more memorable, the victorious Spartan instantly withdrew from Carthage, knowing that he had more to fear from the envy of those he had mortified by his success, than to hope from the gratitude of their country.

On this event the scene of the war was removed again into Sicily; and the Romans, still endeavouring to maintain a naval power, suffered so many losses, and experienced so many disasters, that they became, during a certain period of the struggle, disgusted with the service at sea, and seemed to drop all pretensions to act on that element. In the course of a few years, however, while they endeavoured to continue their efforts by land without the co-operation of a fleet, they became sensible of the necessity they were under of restoring their ships; and they did so with a resolution and vigour, which enabled them once more to prevail

CHAP.
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CHAP. over the superior skill and address of their enemy¹.

IV.

In this ruinous contest both parties, with increased animosity, continued the utmost exertion of their powers. In one naval engagement, reckoning the forces that were engaged on both sides, five hundred galleys of five tier of oars, with two hundred and fifty thousand men, and in another, seven hundred galleys, with three hundred and fifty thousand men, were brought into action²; and in the result of these struggles the Romans having lost, either by tempests or by the hands of the enemy,

¹ With respect to this war, and those immediately preceding, as being still, we may suspect, within the period of mere tradition, it has not been thought proper to attempt such a detail as would fully account for events, though in some measure supplied by Polybius. The example of the Elder Cato, (Vid. Cor. Nepos in Catone), who wrote of these wars, without naming the commanders, has been adopted. They are treated as operations of the State, and characteristic of the People, not as matter of distinction to any particular person concerned. In this, however, the name of Atilius Regulus perhaps ought to be excepted: in him the poets and encomiasts of his country have found a peculiar theme of exultation and tender regret; of the last in his captivity, of the first in his magnanimous rejection of the proposed ransom for himself and his fellow captives. Of the last, indeed, Polybius is silent; but, with severity, animadverts on the abuse of prosperity, which, from the example of Regulus, he states as a warning to his reader. The subject indeed is well fitted to poetry, and is accordingly made the occasion of much beautiful verse and tender allusions, (Vid. Horace, Lib. 3tio, Ode 5to). It will appear, however, in the treaty of peace which followed, that the Romans did not at all shrink from the precedent of receiving their people again from captivity. And indeed the wisdom of any such severity as is ascribed to them, in the case of Regulus and his army, may well be questioned. It is probable, that men will do more under a prospect of generous treatment in their misfortunes, than they would do under the terrors of ruthless severity and cruelty. But what of all other circumstances is the most instructive in this business, is the flight of Xantippus, who, instead of pretending, to any reward for his services, or waiting to profit by the gratitude of those he had saved from destruction, withdrew immediately, to escape from the torrent of envy and spite, which he knew might overtake him, from the gamblers for consideration and power at Carthage.

² Polyb. lib. i. c. 26.

enemy, seven hundred gallies; their antagonists, CHAP.
IV. about five hundred¹; both were inclined to desist, U. C. 512. and the Carthaginians, in particular, beginning to balance the inconveniencies which attended the continuance of war against the concessions that were necessary to obtain a peace, came to a resolution to accept of the following terms:

That they should evacuate Sicily, and all the islands from thence to Africa:

That they should not for the future make war on Hiero, king of Syracuse, nor on any of his allies:

That they should release all Roman captives without any ransom:

And within twenty years pay to the Romans a sum of three thousand Euboic talents².

Thus the Romans, in the result of a war, which was the first they undertook beyond the limits of Italy, entered on the possession of all that the Carthaginians held in the islands for which they contended; and, by a continuation of the same policy which they had so successfully pursued in Italy, applying to the acquisitions they made, not the alarming denomination of conquered *Subjects*, but the softer name of *Ally*, they brought Hiero, who was sovereign of the greater part of Sicily, into a state of willing dependence on themselves.

Their manners, as well as their fortunes, were a perfect contrast to those of the enemy they had vanquished. Among the Romans, riches were of no account in constituting rank. Men became eminent by rendering signal services to their coun-

¹ Ibid. c. 63.

² Polyb. c. 62, &c. About half a million Sterling.

CHAP. try, not by accumulating wealth. Persons of the
 IV. first distinction subsisted in the capacity of husbandmen by their own labour; and, remaining in the condition of peasants, were nevertheless employed in the command of armies, and the first offices of State. One Consul, of the name of Regulus, was found, by the officer who came to announce his election, equipped with the sheet or the basket, and sowing the seed of his corn in the field. Another, of the same name, signalized by his magnanimity, as well as misfortune, while he commanded in Africa, desired to be recalled, in order to recover the instruments of husbandry, which, to the great distress of his family, and the hazard of their wanting food, a fugitive slave had carried off from his land. The Senate refused his request, but ordered the farm of their general to be tilled at the public expence¹.

The association of pomp and equipage with rank and authority, it may be thought, is accidental, and only serves to distract the attention which mankind owe to personal qualities. It nevertheless appears to be in some measure unavoidable. Men admire and distinguish their favourites as they can. Duillius had his piper and his torch, in honour of the first naval victory obtained by his country²; and the external ensigns of state struck the Romans with awe, although they were still rude in the choice of device or decoration for that purpose.

At

¹ Valer. Maxim. lib. iv. c. 4. Liv. Epitom. lib. xviii. Seneca ad Albi-
 nam, c. 12. Auctor de versibus illustribus.

² Liv. Epitom. lib. xvii, xviii.

At this time, when the nation emerged with so much lustre beyond the boundaries of Italy, the parties which divided the commonwealth, and whose animosity sharpened so much the pangs which preceded the birth of many of its public establishments, had no longer any object of contest. The officers of State were taken promiscuously from either class of the people, and the distinction of Plebeian and Patrician had in a great measure lost its effect. A happier species of aristocracy began to arise from the lustre of personal qualities, and the honours of family, which devolved upon those who were descended from citizens who had filled the higher stations, and who were distinguished in their country's service.

The different orders of men in the commonwealth having obtained the institutions for which they severally contended, the number of officers, as well as departments, was increased, for the better administration of affairs, which, together with the extent of possessions, were fast accumulating. Thus a second Prætor was added to the original establishment of this office; and, as the persons who held it were destined to act either in a civil or military capacity, to hear causes in the city, or to command armies in the field; they were assisted in the first of these functions by a new institution, that of the Centumvirs, or the Hundred, who were draughted from the Tribes, and appointed, during the year of their nomination, under the direction of the Prætors, to take cognizance of civil disputes. The number of Tribes being now

CHAP. completed to thirty-five, and three of the Centum-
 IV. virs being draughted from each, made the list of
 these subsidiary judges amount to one hundred
 and five ¹.

The city, during the late destructive war, sent abroad two colonies, one to Castrum Innui, a village of the Latins, the other to Firmium in the Picenum, on the opposite side of the peninsula, intended rather to guard and protect the coast, than to provide for any superabundance of the people, whose numbers at this time underwent a considerable diminution ²; the rolls having decreased in the course of five years, from two hundred and ninety-seven thousand two hundred and twenty-seven, to two hundred and fifty-one thousand two hundred and twenty-two ³. The revenue, for which citizens who were accustomed to pay with their personal service, had little to spare from their effects, and which was at all times probably scanty, being often exhausted by the expences of the late war, brought the community under the necessity of

¹ Liv. Epitom. lib. xx.

² Livy, in different places, mentions between thirty and forty Roman colonies subsisting in Italy in the time of the second Punic war, (Liv. lib. xxvii. c. 9. & 38.). Velleius Paterculus reckons about forty planted in Italy after the recovery of Rome from its destruction by the Gauls, (Lib. i. c. xv.). And Sigonius, collecting the names of all the colonies mentioned by any Roman writer as planted in Italy, has made a list of about ninety. But this matter, which so much interests this very learned antiquary, and many others, was become, as we have mentioned, a subject of mere curiosity, even in the times of the writers from whom our accounts are collected; as all the Italians were by that time, either in consequence of the Marfic war, or afterwards by the act of Julius Cæsar, admitted on the roll of Roman citizens.

³ Liv. Epitom. lib. xix.

of acquitting itself of its debts, by diminishing the weight, or raising the current value of its coin. CHAP.
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The Aſs, which was the ordinary meaſure of valuation, being the libra, or pound of copper ſtamped, and hitherto containing twelve ounces, was reduced in its weight to two ounces ¹.

The contribution now exacted from Carthage amounting to the ſum, already mentioned, of about half a million Sterling, together with the rents to be collected in Sicily, were likely to be great acceſſions of wealth to ſuch a community.

The ſpoils of their enemies, for the moſt part, conſiſting of captives, were detained by the captor as his ſlaves, or ſent to market to be ſold. They had made a prize of twenty thouſand in their firſt deſcent upon Africa; and the number of ſlaves in Italy was already become ſo great as to endanger the State ².

The favourite entertainments of the People were combats of armed ſlaves, known by the name of gladiators, derived from the weapons with which they moſt frequently fought. Such exhibitions, it is ſaid, were firſt introduced in the interval between the firſt and ſecond Punic war, by a ſon of the family of Brutus, to ſolemnize the funeral of his father. Though calculated rather to move pity and cauſe horror, than to give pleaſure; yet, like all other ſcenes which intereſt the paſſions, or excite hopes and fears, and keep the mind in ſuſpenſe, they were attended by the multitude, and ſerved

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to

¹ Plin. Hiſt. Nat. lib. xxxiii. c. 8. ² Zonar. lib. ii. Oroſius, lib. ii. c. 7:

CHAP. to confirm that characteristical hardness of heart
 IV. by which the Romans were distinguished.

In the circumstances or events which immediately followed the conclusion of the war betwixt Rome and Carthage, those nations shewed the different tendency of their institutions and manners. The Romans, in the very struggles of a seemingly destructive contest, had acquired strength and security, not only by the reputation of great victories, but still more by the military spirit and improved discipline and skill of their people by sea and by land. Although their subjects in Italy revolted, and their allies withdrew their support, yet both were soon reduced, at the first appearance of those veteran soldiers who had been formed in the service that was recently ended.

The Carthaginians, on the contrary, had made war above twenty years without becoming more warlike; had exhausted their resources, and consumed the bread of their own people in maintaining foreign mercenaries, who, instead of being an accession of strength, were ready to prey on their weakness, and to become the most formidable enemies to the state they had served. Their army, composed, as usual, of hirelings from Gaul, Spain, and the interior parts of Africa, estimated their services at a higher value than the State was disposed to allow, and attempted to take by force what was refused to their representations and claims. Being assembled in the neighbourhood of Carthage to receive the arrears of their pay, the Senate

Senate wildly proposed, in consideration of the distressed condition of the public revenue, that they should make some abatement of the sums that were due to them. But the Treasury of Carthage, instead of obtaining the abatements which were thus proposed, only provoked men with arms in their hands to enter into altercations, and to multiply their claims and urge their pretensions. The mercenaries took offence at the delays of payment, rose in their demands upon every concession, and marched at last to the capital, with all the appearances and threats of an open and victorious enemy. They issued a proclamation on their march, inviting all the provincial subjects of the commonwealth to assert their freedom, and, by the numbers that flocked to their standards from every quarter, became a mighty host, to which the city had nothing to oppose but its walls. To effectuate the reduction of Carthage, they invested the cities of Tunis and Utica, and, as is not uncommon in the midst of similar disorder, submitted to all the discipline of war from the officers whom they themselves had appointed to command.

In this crisis, the republic of Carthage, cut off from all its resources and ordinary supplies, attacked with that very sword on which it relied for defence, and in a situation extremely deplorable and dangerous, having still some confidence in the ability of their Senators, and in the magnanimity of officers tried and experienced in arduous and perilous situations, was not altogether reduced

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reduced to despair. Although the people had committed their arms into the hands of strangers, the command of armies had been still reserved to their own citizens; and now, by the presence and abilities of a few great men, they were taught to assume a necessary courage, to put themselves in a military posture, and to maintain, during three years, and through a scene of mutual cruelties and retaliations, unheard of in the contests of nations at war, a struggle of the greatest difficulty. In this struggle they prevailed at last, by the total extirpation of this vile and outrageous enemy ¹.

During the existence of this odious revolt, in which a mercenary army endeavoured to subdue the State which employed them, the Romans preserved that character for generosity and magnanimity of which they knew so well how to avail themselves, without losing any opportunity that offered for the secure advancement of their power.

They refrained from giving any countenance, even against their rival, to such unworthy antagonists. They affected to disdain taking any advantage of the present distresses of Carthage, and refused to enter into any correspondence with a part of the rebel mercenaries, who, being stationed in Sardinia, offered to surrender that island into their hands. They prohibited the traders of Italy to furnish the rebels with any supply of provisions or stores, and abandoned every vessel that presumed to transgress these orders, to the mercy of the Carthaginian

thaginian cruifers who plied before the harbours of Tunis and Utica. Above five hundred Roman prisoners, feized by thefe cruizers, were detained in the jails of Carthage. At the termination, however, of this war, when the Carthaginians were far from being difpofed to renew any quarrel whatever, the Romans fixed on this as a ground of difpute, complained of piracies committed againft the traders of Italy, under pretence of intercepting fupplies to the rebels; and, by threatening immediate war upon this account, obtained from the State itfelf a furrender of the ifland of Sardinia, which they had refufed to accept from the rebels; and to make up for their pretended loffes by the fupposed unwarrantable capture of their fhips¹, got an addition of two hundred talents to the fum ftipulated in the late treaty of peace.

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Upon this furrender the Sardinians bore with fome difcontent the change of their mafters; and, on the firft prohibition of their ufual commerce with Carthage, to which they had been long accuftomed, took arms, and endeavoured for fome time to withftand the orders by which the fovereignty of their ifland was transferred to Rome.

Soon after the Romans had reconciled thefe newly acquired fubjects to their government, had quelled a revolt in Tufcany, and vanquifhed fome cantons of Liguria, whom it is faid they brought to fubmit as faft as the accefs to that country could be opened, they found themfelves at peace with
all

¹ Polyb. lib. i. c. 88. lib. iii. c. 10. Appian de Bell. Punic. p. 4.

CHAP. all the world¹; and, in token of this memorable
IV. circumstance, shut the gates of the temple of Ja-
 U. C. 519. nus; a ceremony which the succession of wars, continued from the reign of Numa to the present time, during a period of four hundred and thirty years, had prevented; and a ceremony, which, when performed, marked a situation as transient as it was strange and uncommon.

Fresh disturbances in some of the possessions recently seized by the republic, and a quarrel of some importance that carried her arms for the first time beyond the Hadriatic, embroiled her anew in a series of wars and military adventures.

The Illyrians had become of late a considerable nation, and were a party in the negotiations and quarrels of the Macedonians and the Greeks. Having convenient harbours and retreats for shipping, they carried on a piratical war with most of their neighbours, and, in particular, committed depredations on the traders of Italy, which it concerned the Romans, as the sovereigns of that country, to repress. They accordingly sent deputies to complain of these practices, to demand a reparation of past injuries, and a security from any such attempts for the future. The Illyrians at this time were under the government of Téuta, the widow of a king lately deceased, who held the reins of government as guardian to her son. This princess, in answer to the complaints and representations of the Romans, declared, that in
 her

¹ Florus, lib. ii. c. 3. Eutrop. lib. ii.

her kingdom no public commission had ever been granted to make war on the Italians; but she observed, that the seas being open, no one could answer for what was transacted there; and that it was not the custom of kings to debar their subjects from what they could seize by their valour. To this barbarous declaration one of the Roman deputies replied, that his country had ever been governed by different maxims; that they endeavoured to restrain the crimes of private persons by the authority of the State, and should, in the present case, find a way to reform the practice of kings in this particular. The queen was incensed; and resenting these words, as an insult to herself, gave orders to waylay and assassinate the Roman deputy on his return to Rome¹.

In revenge of this barbarous outrage, and of the former injuries received from that quarter, the Romans made war on the queen of Illyricum, obliged her to make reparation for the injuries she had done to the traders of Italy, to evacuate all the towns she had occupied on the coast, to restrain her subjects in the use of armed ships, and to forbid them to navigate the Ionian Sea with more than two vessels in company.

The Romans, being desirous of having their conduct in this matter approved of by the nations of that continent, sent a copy of this treaty, together with an exposition of the motives which had induced them to cross the Hadriatic, to be read
in

¹ Polyb. lib. ii. c. 9.

CHAP. in the assembly of the Achæan league. They soon
 IV. after made a like communication at Athens and at
 Corinth, where, in consideration of the signal service they had performed against the Illyrians, then reputed the common enemy of civilized nations, they had an honorary place assigned them at the Isthmian games; and in this manner made their
 U. C. 525. first appearance in the councils of Greece.

1 Polyb. lib. ii. c. 12. Appian in Illyr.

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C H A P. V.

Progress of the Romans within the Alps.—Origin of the second Punic war.—March of Hannibal into Italy.—Progress.—Action on the Tecinus.—On the Trebia.—On the Lake Trasimenus.—Battle of Cannæ.—Hannibal not supported from Carthage.—Sequel of the war.—In Italy.—And Africa.—Scipio's Operations.—Battle of Zama.—End of the war.

THE city of Rome, and most of the districts of CHAP.
 Italy, during the last enumerated wars which V.
 were waged at a distance or beyond the seas, began to experience that uninterrupted tranquillity in which the capital and interior divisions of every considerable nation remain, even while the state is engaged in war abroad. They had indeed on the side of Cisalpine Gaul one source of alarm, which they thought it necessary to remove, in order to obtain that entire security to which nations in vain aspire. The country of the Senones, they had already subdued, even before the arrival of Pyrrhus in Italy; but the richest and most fertile tracts on the Po were still in the possession of the Gaulish nations; and it had been proposed, about four years after the conclusion of the first Punic war, to erect a barrier against the invasions of this people, by occupying with Roman colonies the conquests they had already made from Sena Gallia to the Rubicon. Although the inhabitants dis-
 placed

CHAP. V. placed to make room for these new settlements had been subject to the Romans above forty years, yet their brethren on the Po considered this act of violence as an insult to the Gaulish name, resolved to avenge it, and invited their countrymen from beyond the Alps to take part in the quarrel.

In consequence of negotiations and concerts between the different nations of this race, and in about eight years after the Romans had been settled on the Rubicon, a great army of Gauls appeared on the frontier. These nations were accustomed to make war by impetuous assaults and invasions, and either at once subdued and occupied the countries they over-ran, or, being repulsed, abandoned them without any farther intention to persist in the war. Their tumultuary operations, however, as we have observed, were subjects of the greatest alarm at Rome, and generally produced a suspension of all the ordinary forms of the commonwealth. On the prospect of this invasion, the Senate, apprehending the necessity of great and sudden exertions of all their strength, ordered a general account to be taken of all the men fit to carry arms, whether on foot or on horseback, that could be assembled for the defence of Italy; and they mustered on this famous occasion, above seven hundred thousand foot and seventy thousand horse. From this numerous return of men in arms, the State was enabled to make great detachments, which they stationed separately under the Consuls and

and one of the Prætors, to cover the country CHAP.
V. where it was most exposed. The Gauls, having penetrated into Etruria, where the Prætor was advanced, attacked and obliged him to retire. But the Consuls, being arrived with their respective armies in different directions to support the van, renewed the conflict with united force, and put the greater part of the Gaulish invaders to the sword.

In the year following, the Romans carried the U. C. 549. war into the enemy's country ; and in about three years more, passed the Po, and made themselves masters of all the plains on that river quite to the foot of the Alps. To secure this valuable acquisition they projected two colonies of six thousand men each, one at Cremona and the other at Placentia, on the opposite sides of the Po ; but were disturbed in the execution of this project, first, by a revolt of the natives, who justly considered these settlements as military stations, intended to repress and keep themselves in subjection ; and afterwards, obliged to discontinue it by the arrival of a successful invader, who, by his conduct and implacable animosity, appeared to be the most formidable enemy that had hitherto attempted to shake the establishment, or to limit the progress of the Roman State.

The republic had now enjoyed, during a period of twenty-one years from the end of the first Punic war, the fruits not only of that ascendant she had acquired among the nations of Italy, but those likewise of the high reputation she had gained, and of the great military power she had formed.

CHAP. V. ed in the contest with Carthage. The wars that filled up the interval of peace with this principal antagonist, were either trivial or of short duration; and the city itself, though still rude in the form of its buildings and in the manners of its people, probably now began to pay a growing attention to the arts of peace. Laws are accordingly dated in this period, which have a reference to manufacture and to trade. Clothiers are directed in the fabric of cloth ¹, and carriers by water are directed in the size of their vessels. Livius Andronicus and Nævius introduced some species of dramatic entertainment, and found a favourable reception from the people to their productions ², however imperfect or rude. Even history itself began to be in request, and ancient traditions were collected in form ³.

But whatever progress the people were now inclined to make in the useful or pleasurable arts of peace, they were effectually interrupted, and obliged to bend the force of their genius, as in former times, to the arts of wars, and to the defence of their settlements in Italy.

The Carthaginians had been for some time employed in Spain, making trial of their strength, and forming their armies. In that country Hamilcar, an officer of distinguished fame in the late war with the Romans, and in that which ensued with the rebel mercenaries, had sought refuge from

¹ Lex Metilia de Fullonibus. Lex Claudia.

² Cicer. in Bruto, p. 35. A. Gall. lib. xvii. c. 21.

³ Fabius and the Elder Cato had made their Collections.

from that disgust and those mortifications which, in the late treaty of peace, he felt from the abject councils of his country. Having found a pretence to levy new armies, he made some acquisitions of territory in the continent of Europe, to compensate the losses which Carthage had sustained by the surrender of Sardinia and of Sicily.

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The western extremity of Europe appears to have been to the trading nations of Greece, Asia, and Africa, what America has been, though upon a larger scale, to modern nations of the East, an open field for new settlements, plantations, and conquests. The natives of Spain were brave, but impolitic, and ignorant of the arts of peace, occupied entirely with the care of their horses and their arms. These, says an historian, they valued more than their blood¹. They painted or stained their bodies, affected long hair with gaudy ornaments of silver and of gold. The men were averse to labour, and subsisted chiefly by the industry of their women. Their mountains abounded in mines of copper and of the precious metals; infomuch that, on some parts of the coast, it was reported that vessels and utensils of silver were employed in the most common uses². A fatal report! such as that which afterwards carried the posterity of this very people, with so much destructive avidity, to invade the new world; and is ever likely to tempt the dangerous visits of strangers, who are ready to gratify their avarice and

K 2

their

¹ Justin, lib. xlv. c. 2.

² Strabo, lib. iii.

CHAP. V. their ambition, at the expence of nations to whose possessions they have no reasonable or just pretension. The Spaniards were at this time divided into many barbarous hordes, which could neither form any effectual concert among themselves to prevent the intrusion and settlement of foreigners, nor possessed the necessary docility with which to profit by the example of other nations, whether in the form of their policy or in the practice of arts.

The Carthaginians had made their first irruptions into Spain under pretence of supporting the colony of Gades, which, like themselves, was sprung from Tyre. They made a settlement under the name of New Carthage, in a situation extremely favourable to their own communication with this country; and in the neighbourhood of its richest mines. Hamilcar, after a few successful campaigns, in extending the bounds of this settlement, being killed in battle, was succeeded by his son-in-law, Hasdrubal, who continued for some years to pursue the same designs.

The Romans, in the mean while, were occupied on the coast of Illyricum, or amused with alarms from Gaul. They were sensible of the progress made by their rivals in Spain; but imagining that any danger from that quarter was remote, or while they had wars at once on both sides of the Hadriatic, being unwilling to engage at the same time with so many enemies; were content with a negotiation and a treaty, in which they stipulated with the Carthaginians that they should not pass the

the Iberus to the eastward, nor molest the city of CHAP.
V.
Saguntum, in declared alliance with Rome. This they considered as a proper barrier on that side, and undertook its protection as a common cause with their own. Trusting to the effect of this treaty, as sufficient to limit the progress of Carthage, they proceeded, in the manner that has been related, to contend for the dominion of Italy, which hitherto, under the frequent alarms they received from the Gauls, was still insecure¹.

Hafdrubal, after nine years service, being assassinated by a Spanish slave, who committed this desperate action in revenge of an injury which had been done to his master, was succeeded in the command of the Carthaginian armies in Spain by Hannibal, the son of Hamilcar. This young man, then of five and twenty years of age, had, when a child², come into Spain with his father, seemed to inherit his genius, and preserved, probably with increasing animosity, his aversion to the Romans. Having been reared and educated in camps, and from his earliest youth qualified to gain the confidence of soldiers, he, on the death of Hafdrubal, by the choice of the troops, was raised to the command of that army, and afterwards confirmed in it by the Senate of Carthage.

The Carthaginians had now for some time ceased to feel the defeats and the sufferings which had induced them to accept of the late disadvanta-

K 3

geous

¹ Polyb. lib. ii. c. 13.

² At nine years of age.

CHAP. geous conditions of peace, and were now sensible
IV.

only of the lasting inconveniencies to which that treaty exposed them. They had long felt, from the neighbourhood of the Romans, an insurmountable bar to their own progress. They had felt, during above seventeen years from the date of their last treaty of peace, the loss of their maritime settlements, and the decline of their navigation. They had felt the load of a heavy contribution, which, though restricted to a particular sum, had the form of a tribute, in being exacted by annual payments; and they entertained sentiments of animosity and aversion to the Romans, which nothing but the memory of recent sufferings and the apprehension of danger could have so long suppressed.

Hamilcar, together with a considerable party of the Senate, were induced to bear with the late humiliating peace, only that they might have leisure to provide for a subsequent war. "I have four sons," this famous warrior had been heard to say, "whom I shall rear like so many lions whelps against the Romans." In this spirit he repaired to Spain, set armies on foot to be trained and accustomed to service, and had already projected the invasion of Italy from thence.

Whatever may have been the military plans of Carthage, the execution was amply secured by the succession of Hannibal to the command of their forces. He was formed for enterprise, and professed an hereditary aversion to the Romans. In the

the first and second year of his command, however, he continued the operations which his predecessors had begun in Spain; and although, during this time, he made conquests beyond the Iberus, he did not molest the city of Saguntum, nor give any umbrage to the Romans. But, in the third year after his appointment, his progress alarmed the Saguntines, and induced them to send a deputation to Rome to impart their fears.

At the time this alarm was brought from Saguntum, the Romans had assembled a fleet, with transports, under the command of the Consul L. Emilius Paulus, destined to make war on Demetrius, the prince of Pharos, a small island on the coast of Illyricum. This armament, if directed to Spain, might have secured the city of Saguntum against the designs of Hannibal; but the Romans still considered any danger from that quarter as remote, and continued to employ this force on its first destination. They paid so much regard nevertheless, to the representation of the Saguntines, as to send deputies into Spain, with orders to observe the posture of affairs, and to remind the Carthaginian officer on that station, of the engagements which had been entered into by his predecessor, and of the concern which the Romans must unavoidably take in the safety of Saguntum. The return which they had to this message gave sufficient intimation of an approaching war; and it appears that, before the Roman commissioners could have made their report, Hannibal had ac-

CHAP. V. tually made his hostile aggression in Spain. He had already formed his design for the invasion of Italy, and, that he might not leave to the Romans a place of arms and a powerful ally in his rear, determined to occupy or destroy Saguntum. He was impatient to reduce that place before any succours could arrive from Italy, or before any force could be collected against himself, so as to fix the theatre of the war, or renew his contest for a country he had already overrun. He pressed the siege, therefore, with great impetuosity, exposing his person in every assault; and exciting, by his own example, with the pickaxe and spade, the parties at work in making the approaches¹. Though abundantly cautious not to expose himself on slight occasions, and far above the mere ostentation of courage, yet in this siege, which was the foundation of his hopes, and the necessary prelude to the farther progress of his enterprize, he declined no fatigue, and shunned no danger, that led to the attainment of his end. He was, nevertheless, by the valour of the besieged, which they exerted in hopes of relief from Rome, detained about eight months before this place, and deprived at last of great part of its spoils by the desperate resolution of the inhabitants, who chose to perish, with all their effects, rather than fall into the hands of their enemy. The booty, nevertheless, which he saved from this wreck, enabled him, by his liberalities, to gain the affection of his army, and to provide for the execution of his design against Italy.

The

¹ Polyb. lib. iii. c. 17.

The siege of Saguntum, being the infraction of a treaty subsisting with Rome, was undoubtedly an act of hostility; and the Romans incurred a censure of remissness, uncommon in their councils, by suffering an ally, and a place of such importance, to remain so long in danger, and by suffering it at last to fall a prey to their enemy, without making any attempt to relieve it. It is probable, that the security they began to derive from a frontier, far removed from the seat of their councils, and covered on every side by the sea, or by supposed impervious mountains, rendered them more negligent than they had formerly been of much slighter alarms. In their present elevation of fortune, they expected to govern by the dread of their power, and proposed to punish, by exemplary vengeance, the insults which they had not taken care to prevent.

The attention of councils at Rome, while this event remained in suspense, had been fixed on the settlements they were making at Cremona and Placentia, to keep the Gauls in subjection, and on the naval expedition which they had sent under the Consul Æmilius to the coast of Illyricum. This officer, about the time that Hannibal had accomplished his design on Saguntum, and was retired for the winter to his usual quarters at New Carthage, had succeeded in his attack on Demetrius prince of Pharos, had driven him from his territories, and obliged him to seek for refuge at the court of Macedonia, where his intrigues proved

CHAP. proved to be of some consequence in the transactions which followed.

V.

The people at Rome being amused with these events, or with a triumphal procession, which, as usual, announced their victory, the Senate proceeded in the affairs of Spain according to the usual forms of their policy, and agreeably to the laws which, in the case of injuries received, they had, from time immemorial, prescribed to themselves, sent to demand reparation before they would attempt to enforce it; they complained at Carthage of the infraction of treaties; and required that Hannibal with his army should be delivered up to their messengers; or, if this were refused, gave orders to denounce immediate war. The Roman commissioner, who spoke to this effect in the Senate of Carthage, in the conclusion, held up a fold of his gown, and said, "Here are both peace and war, choose ye."—He was answered, "We choose that which you like best."—"Then it is war," he said; and from this time both parties prepared for the contest.

U. C. 535.

Hannibal had been long devising the invasion of Italy, probably without communicating his design even to the councils of his own country. The war being now declared, he made his dispositions for the safety of Africa and of Spain; gave intimation to the army under his command, that the Romans had required them to be delivered up as a beast which commits a trespass is demanded in reparation of the damage he has done¹. If you have

¹ Velut ob noxam sibi dedi postulare populus Romanus, Liv. lib. xxi. c. 30.

have a proper sense of this indignity, he said, prepare to avenge it. I will lead you where this insolent enemy may be made to feel your resentment. He was in the eight and twentieth year of his age when he entered upon the execution of this design; an undertaking which, together with the conduct of it, has raised his reputation for enterprise and ability to an equal, if not to a higher pitch, than that of any leader of armies whatever. The Romans, a few years before, had mustered near eight hundred thousand men, to whom the use of arms was familiar, to whom valour was the most admired of the virtues, and who were ready to assemble in any numbers proportioned to the service for which they might be required: the march from Spain into Italy lay across tremendous mountains, and through the territory of fierce and barbarous nations, who might not be inclined tamely to suffer a stranger to pass through their country, nor willing to lose any opportunity of enriching themselves with his spoils. From such topics as these, historians have magnified the courage of this celebrated warrior at the expence of his judgment. It is probable, however, that both were equally exerted in this memorable service. In the contest of nations, that country, which is made the seat of the war, for the most part labours under great comparative hardship, is obliged to subsist the army of its enemy as well as its own, is exposed to devastation, to hurry, confusion, and irresolution of councils; so much that, in nations powerful

CHAP.
V.

CHAP. ^{V.} ful abroad, invasions often betray great incapacity and weakness at home, or at least fix the whole sufferings of the war upon those who are invaded. Hannibal, besides this general consideration, had with great care informed himself of the real state of Italy, and knew, that though the Roman masters were formidable, yet much of their supposed strength consisted of discordant parts; a number of separate cantons recently united together, and many of them disaffected to the power by which they were governed. Most of the inhabitants of that country, being the descendants of different nations, and distinguished by various languages, still retained much animosity to one another, and most of all to their new masters. Those who had longest borne the appellation of Roman allies, even the colonies themselves, as well as the conquered nations, had occasionally revolted, and were likely to prefer separate establishments to their present dependence on the Roman State. The Gauls and Ligurians, even the Etruscans, had been recently at war with those supposed masters of Italy, and were ready to resume the sword in concert with any successful invader. The Gauls on the Po were already in arms, had razed the fortifications which the Romans had begun to erect at Cremona and Placentia, and forced the settlers to take refuge at Mutina. Every step, therefore, that an invader should make within this country, was likely to remove a support from the Romans, and to add a new one to himself. The Roman power, composed

ed of parts so ill cemented, was likely to dissolve on the slightest touch. Though great when wielded by a single hand, and employed at a distance, yet broken and disjointed by the presence of an enemy, it was likely to lose its strength; or, by the revolt of one or more of its districts, might furnish a force that could be successfully employed against itself. A few striking examples of success, therefore, for which he trusted to his own conduct, and to the superiority of veterans hardened in the service of many years, were likely to let loose the discontents which subsisted in Italy, and to shake the fidelity of those allies who composed so great a part of the supposed strength of the enemy. Even with a less favourable prospect of success, the risk was but small, compared to the chance of gain. A single army was to be staked against a mighty State; and a few men, who, if they should perish, could be easily replaced, were to be risked in a trial, which, if successful, was to make Carthage the mistress of the world; or even if it should miscarry, might pierce her enemy with a deeper wound than she herself was likely to suffer from the loss of all the army she employed in the service.


Hannibal collected together for this expedition ninety thousand foot and twelve thousand horse. In his march to the Iberus, he met with no interruption. From thence to the Pyrenees, being opposed by the natives, he forced his way through their country; but apprehending some inconvenience from such an enemy left in his rear, he stationed

CHAP. tioned his brother Hanno, with ten thousand foot
 V. and one thousand horse, to observe their motions, and to keep them in awe. After he had begun to ascend the Pyrenees, a considerable body of his Spanish allies deserted in the night, and fell back to their own country. This example, he had reason to believe, might soon be contagious; and as the likeliest way to prevent its effects, he gave out, that the party which had left him, being no longer wanted for the purposes they served on the march, were returned by his orders to their own homes: That he meant to spare a few more of the troops of the same nation, as being unnecessary in the remaining parts of the service; and actually dismissed a considerable body to confirm this opinion. By these separations, or by the swords of the enemy, his numbers, in descending from the mountains of Spain, were reduced from ninety to fifty thousand foot and nine thousand horse, with seven and thirty elephants¹.

U. C. 534. This celebrated march took place in the year of Rome five hundred and thirty-four, or in the consulate of Publius Cornelius Scipio and Tiberius Sempronius Longus. The Romans, as usual on such occasions, raised two consular armies, and proposed, by immediate armaments directed to Spain and to Africa, to fix the scene of the war at a distance from Italy, or in the countries possessed by the enemy.

Sempronius assembled an army and a fleet in the

¹ Polyb. lib. iii. c. 35.—42.

the ports of Sicily, and had orders to pass into CHAP.
V.
Africa. Scipio embarked with some legions for  Spain, and, touching on the coast of Gaul, there had the first notice that a Carthaginian army was marching by land into Italy. This intelligence induced him to debark at Marseilles, and to send out a detachment of horse to penetrate into the country, and to procure farther and more particular accounts of the enemy.

Hannibal had arrived on the Rhône at some distance above its separation into the two channels by which it empties itself into the sea, and about four days march from the coast¹. In order to effect his passage of the river, he instantly collected all the boats that could be found within his reach. At the same time, the natives, being unacquainted with strangers in any other quality than that of enemies, assembled in great numbers to dispute his farther progress in their country.

Observing the aspect of so powerful a resistance in front, the Carthaginian made no attempt to force it, but sent a detachment up the banks of the river, with orders to pass where they could, and as soon as they gained the opposite side to make a diversion on the flank or the rear of the enemy.

The division employed on this service, after a march of twenty-five miles, finding the Rhône separated into branches by small islands, at a convenient place got over on rafts to the opposite shore; and being thus in the rear, or on the right of the Gaulish army, after a night of repose from
the

¹ Polyb. lib. iii. c. 4

CHAP. V. the fatigues of their march, proceeded, according to their instructions, to alarm the enemy on that quarter, while the main army should attempt the passage in front.

On the fifth day after the departure of this party, Hannibal, having intelligence that they had succeeded in passing the Rhône, made his disposition to profit by the diversion they were ordered to make in his favour. The larger vessels, which were destined to transport the cavalry, were ranged towards the stream, to break the force of the current; and many of the horses were fastened to the stern of the boats. The smaller canoes being collected below, were to receive an embarkation of foot.

The Gauls, seeing these preparations, left their camp, and advanced to meet the enemy. They were formed on the banks of the river, when the Carthaginian detachment arrived on their rear, and lighted up fires as a signal of their approach. Hannibal observing the smoke, notwithstanding the posture which the enemy had taken to resist his landing, instantly put off from the shore: both armies shouted; but the Gauls being soon thrown into great consternation by the report and effects of an attack which they little expected on their rear, without resistance gave way to their enemy in front, and were speedily routed. Hannibal, having thus got possession of the passage, in a few days, without any farther interruption or loss, got over his elephants, baggage, and the remainder of his army.

Soon

Soon after this difficulty was surmounted, intelligence was received that a Roman fleet had arrived on the coast, and was disembarking an army at Marseilles. To gain further and more certain intelligence, the Carthaginian general, nearly about the same time that the Roman had sent a detachment on the same design, directed a party of horse to examine the country. These parties met; and, after a smart engagement, returned to their respective armies with certain accounts of an enemy being near.

Scipio advanced with the utmost dispatch to fix the scene of the war in Gaul; and Hannibal hastened his departure, being equally intent on removing it, if possible, into Italy. The last, in order to keep clear of the enemy, withdrew from the coast, ascending by the banks of the Rhône; and after marching four days from the place at which he had passed this river, arrived at its confluence with the Isère¹. Here he found two brothers con-

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tending

¹ In the manuscripts of Polybius, which are preserved in the Vatican and at Florence, the confluence of rivers at which Hannibal arrived in four days from the place at which he had passed the Rhône, is said to be that of the Rhône with the Skoras or Skaras, names unknown in the geography of that country, either ancient or modern, and therefore a palpable error of the transcriber, who ought certainly to have written either Araros or Isaras. If the first reading, or that of Araros, be adopted, Hannibal must have ascended to Lyons, about one hundred and fifty miles from the sea, before he approached the Alps: But the author has preferred the other reading of the Isaras; because Lyons is too far from the place at which Hannibal must have passed the Rhône to be reached by him in four days, whilst the Isère, as well as the Arar, had its confluence with the Rhône, and could be easily reached in the time mentioned, being no more than forty miles. And to fix the place at which the Rhône was passed, Polybius tells us it was four days march from the

CHAP. tending for the throne of their father, and gained

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the sea. This is a mere computation of distance, not a march actually made, and may be taken at ten, at fifteen or twenty miles a-day, according to the received notion of marches: We shall take it at the medium of fifteen miles, which will make the distance in question, from the sea, to be sixty miles; and from this place the distance to Lyons must of course have been ninety miles. And to suppose that, in four days, a great army could have marched ninety miles, effecting at the same time a passage of the Isère, with all its horses, elephants, and baggage, is altogether incredible.

It is probable that the first editors of Polybius adopted their correction of the manuscripts from the text of Livy, without minding the geography of the country, or the too frequent inattention of Livy to place in the composition of his work. In this very passage, Hannibal being arrived at Lyons, or the confluence of the Rhône and Arar, or Saône, is, by Livy *, made to turn to his left, a movement, by which he must have repassed the Rhône, and gone to the interior of Gaul. And, notwithstanding this turn to the left, he is made to pass by the cantons of the Vocontii, Tricastini, and Trecorii, which, by Strabo, are placed on the Lower Rhône †, and to arrive on the Druentia, even lower than the place at which, by the computation of Polybius, he had formerly passed the Rhône. Monf. St Simon, in his account of Hannibal's march, has adopted this progress from Livy, and embroiled the subject enough. We must therefore recur to the testimony of Polybius, who is indeed the chief or sole authority to be consulted in the case. With respect to his account, the whole difficulty arises from the error of transcribers. The last editor has judiciously amended the former correction, and the name of Isaras being restored to the text, the march which Hannibal made in four days from the place at which he had passed the Rhône is no more than forty miles, without supposing it necessary that he should have passed the Isère, and is actually the rate at which he continued to march for ten days longer; so that, by this obvious amendment, our account of the whole is disembarassed of any difficulty or puzzle whatever. He is therefore assumed to have marched up the vale of Isère by Grenoble and Montmelian to near Conflans, and, having surmounted the heights, to have descended by the vale of Aoste.

As mountains are penetrated by the channels of rivers, it is probable that Hannibal, if he were himself to explore his passage, would try the course of the first considerable river he found on his right descending from the Alps, which was the Isère: but if, as we are told, he had well-instructed guides, it is not likely that they would lead him so long a circuit as he must have made by the course and sources of the Rhône, when, in fact, he had one equally practicable, and much nearer; by the Isère on one side of the Alps, and the Dorea Paltea on the other.

* Vid. Livy, lib. xxi. c. 31.

† Vid. Strabo, lib. iv. p. 135.

an useful ally by espousing the cause of the elder. CHAP.
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Being, in return for this service, supplied with arms, shoes, and other necessaries, and attended by the prince himself, who with a numerous body covered his rear, he advanced on the banks of the Isere, eight hundred stadia, or one hundred miles, in ten days, and, from thence, having no longer the vale of a river to direct him, began to make his way over the summit of the Alps; a labour in which he was employed with his army during fifteen days more.

The natives, either fearing him as an enemy, or proposing to plunder his baggage, had occupied every post at which they could obstruct his march; assailed him from the heights, endeavoured to overwhelm his army in the gorges of the mountains, or force them over precipices, which frequently sunk perpendicular under the narrow paths by which they were to pass.

Near to the summits of the ridge, at which he arrived by a continual ascent of many days, he had his way to form on the sides of frozen mountains, and through masses of perennial ice, which, at the approach of winter, were now covered with recent snow. Many of his men and horses, coming from a warm climate, perished by the cold; and his army having struggled, during so long a time, with extremes to which it was little accustomed, was reduced, from fifty thousand foot and nine thousand horse, the numbers which remained to him in descending the Pyrenees, to twenty thousand foot

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V.

and six thousand cavalry, a force, in all appearance, extremely disproportioned to the service for which they were destined.

The Roman Consul, in the mean time, had, in search of his enemy, directed his march to the Rhône; and, in three days after the departure of Hannibal, had arrived at the place where he had passed that river; but was satisfied that any further attempts to pursue him in this direction, would only carry himself away from what was to be the scene of the war, and from the ground he must occupy for the defence of his country; he returned therefore without loss of time to his ships; sent his brother, Cneius Scipio, with the greater part of the army, to pursue the object of the war in Spain; and he himself, with the remainder, set sail for the coast of Etruria, where he landed and put himself at the head of the legions which had been appointed to restore the settlements of Cremona and Placentia, and were recently arrived in that quarter. With these forces he passed the Po, and was arrived on the Tecinus, when the Carthaginian army came down into the plain at some distance below Turin.

Hannibal, at his arrival in those parts, had made a movement to his right; and, in order to gratify his new allies the Insubres, inhabiting what is now the duchy of Milan, who were then at war with the Taurini or Piedmontese, laid siege to the capital of this country, and in three days reduced it

it by force. From thence he continued his march CHAP.
V.
 on the left of the Po; and, as the armies advanced, both generals, as if by concert, approached with their cavalry, or light troops, mutually to observe each other. They met on the Tecinus with some degree of surprise on both sides, and were necessarily engaged in a conflict, which served as a trial of their respective forces, and in which the Italian cavalry were defeated by the Spanish and African horse. The Roman Consul was wounded, and with much difficulty rescued from the enemy by his son Publius Cornelius, afterwards so conspicuous in the history of this war, but then only a youth of seventeen years of age, entering on his military service¹.

The Roman detachment, it seems, had an easy retreat from the place of this encounter to that of their main army, and were not pursued. Scipio, disabled by his wound, and probably, from the check he had received, sensible of the enemy's superiority in the quality of their horse, determined to retire from the plain; repassed the Po, marched up the Trebia, and, to stop the progress of the Carthaginians, while he waited for instructions or reinforcements from Rome, took post on the banks of this torrent. While he lay in this position, an alarming effect of his defeat, and of the disaffection of some Gauls who professed to be his allies, appeared in the desertion of two thousand horsemen of that nation, who went over to the enemy.

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¹ Polyb. lib. x. c. 3.

CHAP. The Roman Senate received these accounts with surprise, and with some degree of consternation. An enemy was arrived in Italy, and had obliged the Consul, with his legions, to retire. The forces which they had lately mustered were numerous, but consisted in part of doubtful friends, or of declared enemies. They supposed all their lately vanquished subjects on the Po to be already in rebellion, or to be assembled against them in the Carthaginian camp. And, notwithstanding the numerous levies that could have been made in the city, and in the contiguous colonies; notwithstanding the expediency of what they had projected for carrying the war into Africa, as the surest way of forcing the Carthaginians to withdraw their forces from Italy for the defence of their own country, they, with a degree of pusillanimity uncommon in their councils, ordered the other Consul, Sempronius Longus, to desist from his design upon Carthage; recalled him with his army from Sicily, and directed him, without delay, to join his colleague in the Cisalpine Gaul, and, if possible, to stop the progress of this daring and impetuous invader.

The Consul Sempronius, therefore, after he had met and defeated a Carthaginian fleet on the coast of Sicily, and was preparing for a descent on Africa, suddenly changed his course, and, having turned the eastern promontories of Sicily and Italy, steered for Ariminum, where he landed; and, having performed this voyage and march in forty days,

days, joined his colleague, where he lay opposed to Hannibal on the Trebia. CHAP.
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By the arrival of a second Roman Consul, the balance of forces was again restored, and the natives still remained in suspense between the two parties at war. Instead of a deliverance from servitude, which many of them expected to obtain from the arrival of foreigners to espouse their cause, they began to apprehend, as usual in such cases, a confirmation of their bonds, or a mere change of their masters. Indifferent to either of the contending parties, they wished so to remain in suspense as to have the favour of the victor, and not to share in the fortunes of the vanquished. They had, therefore, waited to see how the scales were likely to incline, and had not repaired to the standard of Hannibal, in the manner, it is probable, he expected. This, with every other circumstance of the case, forced him to rapid and hazardous counsels. Being too far from his resources to continue a dilatory war, he hastened to secure the necessary possessions on the Po; and, by the reputation of victory, to determine the wavering inhabitants to declare on his side. For these reasons he ever pressed on the enemy, and sought for occasions to draw them into action. He had been, ever since the encounter on the Tecinus, prudently avoided by Scipio; who, even after he was reinforced by the other consular army, endeavoured to engage his colleague likewise in the same cautious design; but Sempronius, imputing these measures of Scipio to the

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CHAP. V. the impression he had taken from his late defeat, and being confident of his own strength, discovered to the Carthaginian general an inclination to meet him, and to decide the campaign by a general action. Sempronius was farther encouraged in this intention by his success in some encounters of foraging parties, which happened soon after he had arrived on this ground ; and Hannibal, seeing this disposition of his enemy, took measures to bring on the engagement in circumstances the most favourable to himself.

He had a plain in his front, through which the Trebia ran, and parted the two armies. He wished to bring the Romans to his own side of the river, and to fight on the ground where his army was accustomed to form. Here, besides the other advantages which he proposed to take, he had an opportunity to place an ambuscade, from which he could attack the enemy on the flank or the rear, while they should be engaged in front. It was the middle of winter, and there were frequent showers of snow. The enemy's infantry, if they should ford the river, and afterwards remain any time inactive, were likely to suffer considerably from the effects of wet and cold. Hannibal, to lay them under this disadvantage, sent his cavalry across the fords, with orders to parade on the ground before the enemy's lines ; and, if attacked, to repass the river with every appearance of flight. He had, in the mean time, concealed a thousand chosen men under the shrubby banks of

a brook, which fell into the Trebia beyond the intended field of battle. He had ordered his army to be in readiness, and to prepare themselves with a hearty meal for the fatigues they were likely to endure.

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When the Carthaginian cavalry, passing the river according to their instructions, presented themselves to the Romans, it was but break of day, and before the usual hour of the first meal in the Roman camp. The legions were, nevertheless, hastily formed; and pouring from their entrenchment pursued the enemy to where they were seen in disorder to pass the river; and there, by the directions of their general, who supposed he had already gained an advantage, and with the ardour which is usual in the pursuit of victory, the Roman infantry passed the fords, and made a display of their forces on the opposite bank. Hannibal, expecting this event, had already formed his troops on the plain, and made a shew of only covering the retreat of his cavalry, while he knew that a general action could no longer be avoided. After the enemies were engaged in front, the Romans were surprised in the rear by the party which had been posted in ambush for this purpose; and this attack being joined to the other disadvantages under which they engaged, they were defeated with great slaughter.

The legions of the centre, to the amount of ten thousand men, cut their way through the enemy's line, and escaped to Placentia. Of the remainder of the army, the greater part either fell in the field,

CHAP. field, perished in attempting to repass the river, or
 V. were taken by the enemy. In this action, although
 few of the Africans fell by the sword, they suffered considerably by the cold and asperity of the season, to which they were not accustomed ; and of the elephants, of which Hannibal had brought a considerable number into this country, only one survived the distress of this day¹.

In consequence of this victory, the Carthaginians secured their quarters on the Po ; and, by the treachery of a native of Brundisium, who commanded at Clastidium, got possession of that place, after the Romans had fortified and furnished it with considerable magazines for the supply of their own army. Hannibal, in his treatment of prisoners taken at this place, made an artful distinction between the citizens of Rome and their allies : the first he used with severity, the others he dismissed to their several countries, with assurances that he was come to make war on the Romans, and not on the injured inhabitants of Italy.

The Roman Consul, Sempronius, was among those who escaped to Placentia. He meant, in his dispatches to the Senate, to have disguised the calamity which had befallen their forces ; but the difficulty with which his messenger arrived through a country over-run by the enemy, with many other consequences of his defeat, soon published at Rome the extent of their loss. The people, however, rose in their ardour and animosity, instead of being sunk.

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As awakened from a dream of pufillanimity, in CHAP.
V. which they had hitherto feemed to confine their views to the defence of Italy, they not only commanded fresh levies to replace the army they had loft on the Trebia, but they ordered the Conful Scipio to his firft destination in Spain, and fent forces to Sardinia, Sicily, Tarentum, and every other ftation where they apprehended any defection of their allies, or any impreffion to be made by the enemy ¹.

The unfortunate Sempronius, being called to the city to hold the election of magiftrates, efaped, or forced his way through the quarters of the enemy. He was fucceeded in office by Caius Flaminius and Cn. Servilius; the firft, being of obfcure extraction, was chofen in oppofition to the Nobles, to whom the people imputed their recent difafters. He was ordered early in the fpring to take poft at Aretium, that he might guard the paffes of the Appenines and cover Etruria, while the other Conful was ftationed at Ariminum to flop the progrefs of the enemy, if he attempted to pafs by the eaftern coaft.

The Carthaginian army had now got entire poffeffion of the plain and fertile country on both fides of the Po, and might rely upon all its refources, whether of men or fubftance: While the Romans retired within a new barrier, covered by mountains, which formed a difficult accefs to their country, and which they were now to defend with unabated

¹ Polyb. lib. iii. c. 75:

CHAP. unabated resolution and vigour: They had hitherto passed to their settlements on the Po by either of two separate routes; the one through Umbria, and by Ariminum; the other, through Etruria by Arretium, Pistoia, and Lucca. And these being the routes by either one or the other of which it was supposed that Hannibal must advance, gave occasion to the disposition now mentioned of one Consular army at Ariminum, the other at Arretum, with instructions to join and to meet the enemy with their forces united, as soon as it should appear on which of those routes he was to make his attack.

Hannibal on his part, desirous to elude their precautions, either by hastening his passage of the Appenines before they should be prepared to receive him, or by taking some route on which he was not expected, made an early attempt in the spring to pass by the Ligurian mountains to Lucca; but in this he encountered difficulties, from the nature of the ground over which he was to pass, or from the season, such as obliged him to desist and return to his quarters on the Po. His next expedient for the surprise of his enemy, was to find a new route for himself, different from either of those on which they were prepared to receive him. His approach to the mountains, for a great way from the banks of the Trebia to Bononia, was prevented by marshes of uncertain depth, formed by water from the heights, which not having any determined channels to the Po, stagnated and spread

spread on the plains¹. It was here he proposed to pass and surprise his enemy, or prevent their junction, by keeping them long in suspense with respect to the point at which he was to be expected. In a struggle of many days with the difficulties and dangers of this march, he lost many of his horses, with much of his baggage, and was himself attacked with an inflammation, by which he became blind of an eye for the remainder of his life. Having extricated himself from these difficulties, he made a halt of some months on the higher grounds from which the Appenines begin to ascend, and probably near to the pass which is now the ordinary road from Bologna to Florence. Here his army had time to recover the fatigues of their march through the marshes; and the enemy continued still in suspense respecting the route he was to take, whether by Ariminum or Arretium. Having sufficiently rested his army and repaired his losses, he suddenly took his way, by the mountains, to Fesulæ, in the vale of the Arnus,

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¹ Strabo places these marshes on the side of Gaul, or between the Po and the Appenines, and an ingenious modern has, with great force of reason, proved, that Hannibal must have encountered those marshes in his way to the Appenines, not after he had passed them. Vid. Strabo, lib. v. p. 217. edit. Paris. Lorenzo Guazziffl dissertations.

In fixing the track of this march we can derive no assistance from Livy, as he differs from Strabo in respect to the position of the marshes through which the Carthaginian army passed with so much difficulty; and his account, either by the error of transcribers, or his own inattention to geography, is singularly perplexed, implying Fesulæ to be on the side of the Arnus, opposite to where the ruins now stand; and that Hannibal, in coming to Fesulæ, kept Arretium on his left, though, in his direction, Arretium must have been some days march in his front. Livy, lib. xxii. c. 3.

CHAP. V. or opposite side of the Appenines; thus making it then evident, that the storm was to fall on the post assigned to Flaminius at Arretium. The character of this Consul, who had been raised by favour of the people in opposition to the Senate, and who was now disposed to gratify his constituents by some action of splendour and success, encouraged Hannibal to hope, that he might derive some advantage from the ignorance and presumption of such an enemy. In this persuasion, he endeavoured to provoke him, by destroying the country in his presence, and tempted him into the field on many occasions, by exposing himself to be attacked. He even ventured to pass him on the plains of Arretium and Cortona, but without effect, until, seeming to despise the enemy whom he thus left behind, he followed the banks of the lake Thrasimenus, and, on the route to Rome, entered a pass, which is formed by the heights of Cortona rising abruptly from the waters of the lake. Even in this state of the armies, Flaminius was advised to wait for the junction of his colleague from Ariminum, and might indeed have been assured that the enemy would not have the temerity to pursue his journey to Rome, with two such commanding armies in his rear: but Flaminius had already remained inactive much longer than was to be expected from a person of his reputed presumption, and now moved from his camp, with proportional ardour and impetuosity, neglecting the precautions which were to be taken in approaching such an enemy,

enemy, and without examining the heights under which he was to pass, advanced into the narrow way through which the Carthaginian army was supposed to have marched; but over which, in a recess of the mountain, they had actually taken their station, prepared to attack him if he should venture to engage himself in the difficulties of that narrow way¹. On the day on which Hannibal's design was ripe for execution, he was favoured in concealing his position by a fog, which, while the Romans were clearly exposed below, covered the brow or ascent of the hill on which the Carthaginians were posted. With this advantage, he succeeded in drawing the Roman Consul into a snare, in which he perished with great part of his army.

The loss of the Romans in this action amounted to fifteen thousand men, who fell by the sword, or who were forced into the lake and drowned. Of those who escaped by different ways, some continued their flight for fourscore miles, the distance of the field on which this battle was fought from Rome, and arrived with the news of this disastrous event. On the first reports great multitudes assembled at the place from which the people were accustomed to

¹ The state of this pass, which was probably below the village of Toro, is now considerably altered, having a level plain of some miles between the foot of the mountain and the waters of the lake: but the change is easily accounted for, from the effects of an *emissario* or drain, that has been since opened, by a mine under a mountain of above 100 feet in height, by which the mean depth and extent of the lake are considerably altered, and this part of the plain uncovered. Vid. Dissertazione del Padre Bernardino sopra l'emissario del Lago Trasimene.

CHAP. V. to receive a communication of public events from the officers of State ; and the Prætor, who then commanded in the city, being to inform them of what had passed, began his account of the action with these words : “ We are vanquished in a great battle ; the Consul, with great part of his army, “ is slain.” He was about to proceed, but could not be heard for the consternation and the cries which arose among the People : infomuch, that persons who had been present in the action confessed, they heard these words with a deeper impression, than any they had received amidst the bloodshed and horrors of the field ; and that it was then only they became sensible of the whole extent of their loss.

To increase the general affliction, farther accounts were brought, at the same time, that four thousand horse, which had been sent, upon hearing that Hannibal had passed the Appenines, by the Consul Servilius, to support his colleague, were intercepted by the enemy and taken. The Senate continued their meetings for many days without interruption, and the People, greatly affected with the weight of their mortifications and disappointments, committed themselves, with proper docility, to the conduct of this respectable body. In considering the cause of their repeated defeats, it is probable that they imputed them more to the difference of personal qualities in the leaders, than to any difference in the arms, discipline or courage, of the the troops. In respect to the choice
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of weapons, Hannibal was so much convinced of the superiority of the Romans, that he availed himself of his booty on the Trebia and the Lake Thrasimenus, to arm his African veterans in their manner'. In respect to discipline and courage, although mere detachments of the Roman People were likely, in their first campaigns, to have been inferior to veterans, hardened in the service of many years under Hamilcar, Hasdrubal, and Hannibal himself; yet nothing is imputed by any historian to this point of disparity. They are not said to have been backward in any attack, to have failed their general in the execution of any plan, to have disobeyed his orders, to have been seized with any panic, or, in any instance, to have given way to the enemy, until, being caught in some snare by the superiority of the general opposed to them, they fought with disadvantage, and evinced their courage by the numbers which generally fell on the field of battle.

The result of the Senate's deliberations was to name a Dictator. This measure, except to dispense with some form by which the ordinary magistrate was hampered, had not been adopted during an interval of five and thirty years. The choice fell upon Quintus Fabius Maximus, who seemed to possess the vigilance, caution, and vigour which were wanted in this arduous state of affairs. In proceeding to name him, the usual form which, perhaps, in matters of state, as well as in matters of religion, should be supposed indispensable,

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CHAP. ^{V.} could not be observed. Of the Consuls, of whom
 one or the other, according to ancient practice, ought to name the Dictator, one was dead; the other, being at a distance, was prevented by the enemy from any communication with the city. The Senate, therefore, to elude the supposed necessity of his presence, resolved that not a Dictator, but a Pro-dictator, should be named; and that the People should themselves invest this officer, with all the powers that were usually intrusted to the Dictator himself. Fabius was accordingly elected Pro-dictator, and under this title named M. Minutius Rufus for his second in command, or general of the horse.

While the Romans were thus preparing again to collect their forces, Hannibal continued to pursue his advantage. He might, with an enemy more easily subdued or daunted than the Romans, already have expected great fruit from his victories, at least he might have expected offers of concession and overtures of peace: but it is probable that he knew the character of this people enough, not to flatter himself so early in the war with these expectations, or to hope that he could make any impression by a nearer approach to the city, or by any attempt on its walls. He had already, by his presence, enabled the nations of the northern and western parts of Italy to shake off the dominion of Rome. He had the same measures to pursue with respect to the nations of the South. The capital, he probably supposed, might be

be deprived of the support of its allies or subjects, cut off from its resources, reduced to extremity, and even destroyed ; but so fierce a people, while the State had existence, could never be brought to yield to an enemy.

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Under these impressions the Carthaginian general, leaving Rome at a distance on his right, repassed the Appenines to the coast of Picenum, and from thence directed his march to Apulia. Here he proceeded, as he had done on the side of Etruria and Gaul, to lay waste the Roman settlements, and to detach the natives from their allegiance to Rome. But while he pursued this plan in one district or division of the country, the Romans took measures to recover the possessions they had lost in the other, or at least to prevent the disaffected Gauls from making any considerable diversion in favour of their new ally.

For this purpose, while Fabius Maximus was assembling an army to oppose Hannibal in Apulia, the Prætor, Lucius Posthumius, was sent with a proper force to the Po. Fabius having united the troops that had served under the Consul Servilius, with four legions newly raised by himself, followed the enemy. On his march he issued a proclamation, requiring all the inhabitants of open towns and villages in that quarter of Italy to retire into places of safety, and the inhabitants of every district to which the enemy approached, to set fire to their habitations and granaries, or to destroy whatever they could not remove in their flight¹.

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¹ Liv. lib. xxii. c. 12.

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Though determined not to hazard a battle, he drew near to the Carthaginian army, and continued from the heights to observe and to circumscribe its motions. Time alone, he trusted, would decide the war in his favour, against an enemy who was far removed from any supply or recruit, and in a country that was daily wasting by the effect of his own depredations.

Hannibal, after endeavouring in vain to bring the Roman Dictator to a battle, perceived his design to protract the war; and considering inaction as the principal evil he himself had to fear, frequently exposed his detachments, and even his whole army, in dangerous situations. The advantages he gave by these acts of temerity were sometimes effectually seized by his wary antagonist, but also frequently recovered by his own singular conduct and unfailing resources.

In this temporary stagnation of Hannibal's fortune, and in the frequent opportunities which the Romans had, though in trifling encounters, to measure their own strength with that of the enemy, their confidence began to revive. The Public resumed the tranquillity of its Councils, and looked round with deliberation to collect its force. The people and the army recovered from their late consternation, and took advantage of the breathing-time they had gained, to censure the very conduct to which they owed the returns of their confidence and the renewal of their hopes. They forgot their former defeats, and began to imagine that the ene-

my kept his footing in Italy, more by the permission, the timidity, or the excessive caution of the leader they had opposed to him, than by any superiority of his own. CHAP.
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A slight advantage over Hannibal, who had too much exposed his foraging parties, gained by the general of the horse in the absence of the Dictator, confirmed the army and the people in this opinion, and greatly sunk the reputation of Fabius. As he could not be superseded before the usual term of his office expired, the Senate and People, though precluded by law from proceeding to an actual deposition, came to a resolution equally violent and unprecedented, and which they hoped might induce him to resign his power. They raised the general of the horse to an equal command with the Dictator, and left them to adjust their pretensions between themselves. Such affronts, under the notions of honour, which in modern times are annexed to the military character, would have made it impossible for any officer to remain in his station. But in a commonwealth, where, to put any personal consideration in competition with the public, would have appeared absurd; seeming injuries done by the State to the honour of a citizen, only furnished him with a more splendid occasion to display his virtue. The Roman Dictator continued to serve under this diminution of his rank and command, and overlooked with magnanimity the insults with which the people had requited the service he was rendering to his country.

Minutius, now associated with the Dictator up-

CHAP. V. on a foot of equality, in order to be free from the restraints of a joint command, and from the wary counsels of his colleague, desired, as the properest way of adjusting their pretensions, to divide the army between them. In this new situation he soon after, by his rashness, exposed himself and his division to be entirely cut off by the enemy. But being rescued by Fabius, he too gave proofs of a magnanimous spirit, confessed the favour he had received, and committing himself, with the whole army, to the conduct of his colleague, left this cautious officer, during the remaining period of their joint command, to pursue the plan he had formed for the war¹.

At this time, however, the People, and even the Senate, were not willing to await the effect of such seemingly languid and dilatory measures as Fabius was inclined to pursue. They resolved to augment the army in Italy to eight legions, which, with an equal number of the allies, amounted to eighty thousand foot and seven thousand two hundred horse; and they intended, in the approaching election of Consuls, to choose men, not only of reputed ability, but of decisive and resolute counsels. As such they elected C. Terentius Varro, known to be of a bold and dauntless spirit; and, if inclinable to rashness, supposing that the defects of one might be compensated by the merits of another, they joined with him in the command L. Emilius Paulus, an officer of approved

¹ Plutarch, in vit. Fab. Max.

ved experience, who had formerly obtained a triumph for his victories in Illyricum, and who was high in the confidence of the Senate, as well as in that of the People. CHAP. V.

In the autumn, and before the nomination of these officers to command the Roman army, Hannibal had surpris'd the fortress of Cannæ on the Aufidus, a place to which the Roman citizens of that quarter had retired with their effects, and at which they had collected considerable magazines and stores. This, among other circumstances, determin'd the Senate to hazard a battle, or to furnish the new Consuls with instructions to this effect.

These officers, it appears, descending by the banks of the Aufidus, advanced by mutual consent within six miles of the Carthaginian camp, which cover'd the village of Cannæ. Here they differ'd in their opinions, and, by a strange defect in the Roman policy, which, in times of less virtue, must have been altogether ruinous, and even in these times was ill fitted to produce a consistent and well supported series of measures, had no rule by which to decide their precedency, and were oblig'd to take the command each a day in his turn.

Varro, contrary to the opinion of his colleague, propos'd to give battle on the plain, and with this intention, as often as the command devolv'd upon himself, still advanced on the enemy. In order that he might occupy the passage and both sides of the Aufidus, he encamp'd in two separate bo-

CHAP. ^{V.} dies, joined by a bridge, having the strength of his army on the right of the river, opposed to Hannibal's camp. From this position, still taking the opportunity of his turn to command the army, he passed with the larger division to a plain, supposed to be on the left of the Aufidus, and there, in a field which was too narrow to receive the legions in their usual form, he so compressed his order as to have no advantage of numbers in the extent of his front, making the depth of his maniples or little columns greatly to exceed the face which they turned to the enemy¹.

He placed his cavalry on the flanks, the Roman knights on his right towards the river, and the horsemen of the allies on his left.

Hannibal no sooner saw this movement and disposition of the enemy, than he hastened to meet them on the plain which they had chosen for the field of action. He likewise passed the Aufidus, and, with his left to the river, and his front to the north, formed his army upon an equal line with that of the enemy.

He placed the Gaulish and Spanish Cavalry on his left facing the Roman knights, and the Numidians on his right facing the allies.

The flanks of his infantry, on the right and the left, were composed of the African foot, armed in the Roman manner, with the pilum, the heavy buckler,

¹ Ποιων το βαθος εν ταις Σπειραις Πολλαπλασιον τη μεσητη. Vid. Polyb.

buckler, and the stabbing sword, of which he had collected a sufficient assortment on the Trebia and the lake Thrasiminius. His centre, though opposed to the choice of the Roman legions, consisted of the Gaulish and the Spanish foot, variously armed, and intermingled together.

Hitherto no advantage seemed to be taken on either side. As the armies fronted south and north, even the Sun, which rose soon after they were formed, shone upon the flanks, and was no disadvantage to either. The superiority of numbers was greatly on the side of the Romans; but Hannibal rested his hopes of victory on two circumstances; first, on a motion to be made by his cavalry, if they prevailed on either of the enemy's wings; next, on a position he was to take with his centre, in order to begin the action from thence, to bring the Roman legions into some disorder, and expose them, under that disadvantage, to the attack which he was prepared to make with his veterans on both their flanks.

The action accordingly began with a charge of the Gaulish and Spanish horse, who, being superior to the Roman knights, drove them from their ground, forced them into the river, and put the greater part of them to the sword. By this event the flank of the Roman army, which might have been joined to the Aufidus, was entirely uncovered.

Having performed this service, the victorious cavalry had orders to wheel at full gallop by the rear of their own army, and to join the Numidian horse

on

CHAP. V. on their right, who were still engaged with the Roman allies. Upon this unexpected junction, the left wing of the Roman army was likewise put to flight, and pursued by the African horse; at the same time the Spanish cavalry prepared to attack the Roman infantry, wherever they should be ordered on the flank, or the rear.

While these important events took place on the wings, Hannibal amused the Roman legions of the main body with a singular movement that was made by the Gauls and Spaniards, and with which he proposed to begin the action. These came forward, not in a straight line abreast, but swelling out to a curve in the centre, without disjoining their flanks from the African infantry, who remained firm on their ground.

By this motion they formed a kind of crescent convex to the front. The Roman maniples of the right and the left, fearing, by this singular disposition, to have no share in the action, hastened to bend their line into a corresponding curve, and, in proportion as they came to close with the enemy, charged them with a confident and impetuous courage. The Gauls and Spaniards resisted this charge no longer than was necessary to awaken the precipitant ardour with which victorious troops often blindly pursue a flying enemy. And the Roman line being bent, and fronting inwards to the centre of its concave, the legions pursued where the enemy led them. Hurrying from the flanks to share in the victory, they narrowed their space as they

they advanced, and the men who were accustomed to have a square of six feet clear for wielding their arms, being now pressed together, so as to prevent entirely the use of their swords, found themselves struggling against each other for space, in an inextricable and hopeless confusion. CHAP.
V.

Hannibal, who had waited for this event, ordered a general charge of his cavalry on the rear of the Roman legions, and at the same time an attack from his African infantry on both their flanks; by these dispositions and joint operations, without any considerable loss to himself, he effected an almost incredible slaughter of his enemies. With the loss of no more than four thousand, and these chiefly of the Spanish and Gaulish infantry, he put fifty thousand of the Romans to the sword. U. C. 537.

The Consul, Emilius Paulus, had been wounded in the shock of the cavalry; but when he saw the condition in which the infantry were engaged, he refused to be carried off, and was slain¹. The Consuls of the preceding year, with others of the same rank, were likewise killed. Of six thousand horse only seventy troopers escaped with Varro. Of the infantry three thousand fled from the carnage that took place on the field of battle, and ten thousand who had been posted to guard the camp were taken.

The unfortunate Consul, with such of the stragglers as joined him in his retreat, took post at Venusia;

¹ He has received from the poet the following honourable grave: Animæque magnæ prodigum Pœno superante Paulum. Hor. Car. lib. i. Ode 12.

CHAP.
V.

nusia; and with a noble confidence in his own integrity, and in the resources of his country, put himself, even with so small a force, in a posture to resist the enemy, till he could have instructions and reinforcements from Rome¹.

This calamity which had befallen the Romans in Apulia, was accompanied with the defeat of the Prætor Posthumius, who, with his army, on the other extremity of the country, was cut off by the Gauls. A general ferment arose throughout Italy. Many cantons of Grecian extraction, having been about sixty years subject to Rome, now declared for Carthage. Others, feeling themselves released from the dominion of the Romans, but intending to recover their liberties, not merely to change their masters, now waited for an opportunity to stipulate the conditions on which they were to join the victor. Of this number were the cities of Capua, Tarentum, Locri, Metapontus, Crotona, and other towns in the south-east of the peninsula. In other cantons, the people being divided and opposed to each other with great animosity, severally called to their assistance such of the parties at war as they judged were most likely to support them against their antagonists. Some of the Roman colonies, even within the districts that were open to the enemy's incursion, still adhered to the metropolis; but the possessions of the republic were greatly reduced, and scarcely equalled what the State had acquired before the expulsion of Pyrrhus from Italy,

¹ Lib. liv. xxiii.

Italy, or even before the annexation of Campania, or the conquest of Samnium. The allegiance of her subjects and the faith of her allies in Sicily were greatly shaken. Hiero, the king of Syracuse, who had for some time, under the notion of an alliance, cherished his dependence on Rome, being now greatly sunk in the decline of years, could no longer answer for the conduct of his own court, and died soon after this event, leaving his successors to change the party of the vanquished for that of the victor.

Hitherto the nations of Greece and of Asia had taken no part in the contest of those powerful rivals. But the Romans having already interfered in the affairs of Greece, and having made their ambition be felt beyond the Adriatic and the Ionian Sea, the news of their supposed approaching fall was received there with attention: it awakened the hopes of many who had suffered from the effects of their power. Among these Demetrius, the exiled king of Pharos, being still at the court of Macedonia, and much in the confidence of Philip, who had recently mounted the throne of that kingdom, urging that it was impossible to remain an indifferent spectator in the contest of such powerful nations, persuaded the king to prefer the alliance of Carthage to that of Rome, and to join with Hannibal in the reduction of the Roman power; observing, that with the merit of declaring himself while the event was yet in any measure uncertain, the king of Macedonia would be justly entitled

CHAP.
V.

CHAP. led to a proper share of the advantages to be reap-
V. ed in the conquest.

Philip accordingly endeavoured to accommodate the differences which he had to adjust with the Grecian States in his neighbourhood, and sent an officer into Italy to treat with Hannibal, and with deputies of the Carthaginian Senate who attended the camp. In the negotiation which followed it was agreed, that the king of Macedonia and the republic of Carthage should consider the Romans as common enemies; that they should pursue the war in Italy with their forces united, and make no peace but on terms mutually agreeable to both. In this treaty the interest of the Prince of Pharos was particularly attended to; and his restoration to the kingdom from which he had been expelled by the Romans, with the recovery of the hostages which had been exacted from him, were made principal articles¹.

Hannibal, from the time of his arrival in Italy, after having made war for three years in that country, had received no supply from Africa, and seemed to be left to pursue the career of his fate with such resources as he could devise for himself; but this alliance with the king of Macedonia, promised amply to make up for the deficiency of his aids from Carthage; and Philip, by an easy passage into Italy, was likely to furnish him with every kind of support or encouragement that was necessary to accomplish the end of the war.

The

¹ Liv. Ab. xxxiii. c. 35.

The Romans were apprised of this formidable CHAP. V.
 accession to the power of their enemy, as well as of
 the general defection of their own allies, and of
 the revolt of their subjects. Though taxes were
 accumulated on the people, and frequent loans ob-
 tained from the commissaries and contractors em-
 ployed in the public service, their expences began
 to be ill-supplied. There appeared not, however,
 in their councils, notwithstanding all these circum-
 stances of distress, the smallest disposition to com-
 pound for safety by mean concessions. When the
 vanquished Consul returned to the city, in order
 to attend the nomination of a person who, in this
 extremity of their fortunes, might be charged with
 the care of the commonwealth, the Senate, as con-
 scious that he had acted at Cannæ by their own in-
 structions, or had, upon the same motives that ani-
 mated the whole People at Rome, disdained, with a
 superior army, to stand in awe of his enemy, or to
 refuse him battle upon equal ground, went out in
 a kind of procession to meet him; and, upon a
 noble idea, that men are not answerable for the
 strokes of fortune, nor for the effects of superior
 address in an enemy, they overlooked his temerity
 and his misconduct in the action; they attended
 only to the undaunted aspect he preserved after his
 defeat, returned him thanks for not having despair-
 ed of the commonwealth¹; and from thence for-
 ward continued their preparations for war, with all
 the

¹ In the famous and admired expression, *Quia de republica non despo-
 rasse.*

CHAP. V. the dignity and pride of the most prosperous fortune. They now, with a severity which was noble in proportion to the public distress, refused to ransom the prisoners who had been taken by the enemy at Cannæ, and treated with fullen contempt, rather than insult, those who by an early flight had escaped from the field : being petitioned to employ them again in the war, “ We have no service,” they said, “ for men who could leave their fellow-citizens engaged with an enemy.” They seemed to rise in the midst of their sufferings, and to gain strength from misfortune. They prepared to attack or to resist at once, in all the different quarters to which the war was likely to extend, and took their measures for the support of their interest in Spain, in Sardinia and Sicily, as well as in Italy. They continued their fleets at sea ; not only observed and obstructed the communications of Carthage with the seats of the war, but having intercepted part of the correspondence of Philip with Hannibal, they sent a powerful squadron to the coast of Epirus ; and, by an alliance with the States of Etolia, whom they persuaded to renew their late war with Philip, procured for that Prince sufficient employment on the frontiers of his own kingdom, by this means effectually prevented his sending any supply or reinforcement to Hannibal, and, in the sequel, reduced him to the humiliating necessity of making a separate peace.

In the ordinary notions which are entertained of battles and their consequences, the last victory of Hannibal

Hannibal at Cannæ, in the sequel of so many others CHAP.
V.
of a similar effect, ought to have decided the contest; and succeeding ages have blamed the victor for not marching directly to the capital, in order to bring the war to a speedy conclusion by the reduction of Rome itself. But his own judgment is of more weight than that of the persons who censure him. He knew the character of the Romans and his own strength. Though victorious, he was greatly weakened by his victories, and at a distance from the means of a reinforcement or supply. He was unprovided with engines of attack; and, so far from being in a condition to venture on the siege of Rome, that he could not undertake even that of Naples, which, after the battle of Cannæ, refused to open its gates; and, indeed, soon after this date he received a check from Marcellus in attempting the reduction of Nola, a less considerable place¹.

The Romans, immediately after their disaster at Cannæ, prepared again to act on the offensive, formed a fresh army of five and twenty thousand men, which they sent, under the Dictator Junius Pera, to collect the remains of their late vanquished forces, and to annoy the enemy wherever they might find him exposed.

Hannibal kept in motion with his army to protect the cantons that were inclined to declare on his side; but, together with the extent and multiplication of his new possessions, which obliged him

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to divide his army in order to occupy and to secure them, he became sensible of weakness; and, together with the accounts sent to Carthage of his victories, he likewise sent a representation of his losses, and demanded a supply of men, of stores, and of money. He was indeed in his new situation so much in want of these articles, that, having in the three first years of the war apparently raised the reputation of his country to the greatest height, and procured more allies and more territory in Italy than were left in the power of the Romans, together with Capua, and other cities, more wealthy than Rome itself, and surrounded with lands better cultivated, and more full of resources, yet his affairs from thenceforward began to decline.

Armies are apt to suffer, no less from an opinion, that all the ends of their service are obtained, than they do from defeats, and from the despair of success. The soldiers of Hannibal, now elated with victory, perhaps grown rich with the plunder of the countries they had over-run, and of the armies they had defeated; and presuming, that the war was at an end, or that they themselves ought to be relieved, or sent to enjoy the rewards of so glorious and so hard a service, became remiss in their discipline, or indulged themselves in all the excesses, of which the means were to be found in their present condition. Being mere soldiers of fortune, without a country, or any civil ties to unite them together, they were governed by the sole authority

thority of their leader, and by their confidence in his singular abilities. Although there is no instance of their openly mutinying against him in a body, there are many instances of their separately and clandestinely deserting his service. The Spanish and Numidian horse, in particular, to whom he owed great part of his victories, upon some disappointment in their hopes, or upon a disgust taken at the mere stagnation of his fortune, went over in troops and squadrons to the enemy¹. His hopes from the side of Macedonia were entirely disappointed, the power of that nation having full employment at home². He found himself unable, without dividing his forces, to preserve his recent conquests, or to protect the Italians who had declared of his side. Some of his possessions, therefore, he abandoned or destroyed; and the natives of Italy, now the victims of his policy, or left to the mercy of the Romans whom they had offended, became averse to his cause, or felt that they could not rely on his power for protection³. Moved by these considerations, he made earnest applications at Carthage for reinforcements and supplies, to enable him to continue the war. But the councils of that republic, though abject in misfortune, were insolent or remiss in prosperity. Being broken into factions, the projects of one party, however wise, were frustrated by the opposition of the other. One faction received the applications of Hannibal

N 2

with

¹ Liv. lib. xxxiii. c. 46. ² Ibid. lib. xxvi. c. 28, 29. Lib. xxviii. c. 4.

³ Ibid. lib. xxvii. c. 1, and 16.

CHAP. with scorn. “ Do victories,” they said, “ reduce
 V. “ armies to the want of reinforcements and of sup-
 “ plies, even against the very enemies they had
 “ vanquished? And do the acquisitions of Han-
 “ nibal require more money and men to keep them
 “ than were required to make them? Other vic-
 “ torious generals are proud to display the fruits
 “ of their conquests, or bring home the spoils of
 “ their enemies to enrich their own country, in-
 “ stead of draining it to support a career of vain
 “ and unprofitable enterprise.”

These invectives concluded with a motion, which, on the supposition that the advantages gained by Hannibal were real, was well-founded in wisdom and sound policy: that the occasion should be seized to treat with the Romans, when the State had reason to expect the most favourable terms. But this council either was, or appeared to be, the language of faction; and no measures were adopted, either to obtain peace, or effectually to support the war.

The friends, as well as the enemies of Hannibal, contributed to the neglect with which he was treated. In proportion as his friends admired him, and gloried in his fortune, they acted as if he alone were able to surmount every difficulty; and they accordingly were remiss in supporting him. The republic, under the effects of this wretched policy, with all the advantages of her navigation and of her trade, suffered her navy to decline, and permitted the Romans to obstruct, or molest, all the pas-
 pages

sages by which she could communicate with her CHAP.
V. armies in Spain and Italy, or her allies in Sicily and Greece ¹. They voted indeed to Hannibal, on the present occasion, a reinforcement of four thousand Numidian horse, forty elephants, and a sum of money. But this resolution appears to have languished in the execution; and the armament, when ready to sail, probably by the address of the opposite faction, was suffered to be diverted from its purpose, and ordered to Spain instead of Italy ².

Notwithstanding these mortifications and disappointments, Hannibal still maintained his footing in Italy for sixteen years; and so long gave sufficient occupation to the Romans, in recovering, by slow and cautious steps, what he had ravished from them in three campaigns, and by a few daring examples of ability and valour. When the war had taken this turn, and the Romans, by the growing skill and ability of their leaders, as well as by the unconquerable spirit of their people, began to prevail in Italy, Hannibal, receiving no support directly from Africa, had been for some time endeavouring to procure it from Spain.

Here the two Scipios, Cneius and Publius, by a proper application of the force which they had transported from Italy, in the first or second year of the war, had restored the party of their country, which appeared to have been entirely suppressed by Hannibal in the destruction of Saguntum: But they were, when least to be expected, betrayed by their allies, and separately cut off.

N 3

The

¹ Liv. lib. xxviii. c. 4.² Ibid. lib. xxiii. c. 13. and 32.

CHAP.

V.

The natives of Spain had, by their want of union or national conduct, as has been mentioned, suffered many establishments to be made by foreigners in their country. They had permitted the Carthaginians, in particular, to possess themselves of a considerable territory; and afterwards, in order to remove them, allowed similar encroachments to be made by the Romans whose aid they solicited. And during the contest of those parties, occasionally applied for protection to either against the other; being during the greater part of this war the unstable friends or irresolute enemies of both.

Upon the unfavourable turn which the inconstancy of this people had given to the affairs of Rome in that country; a service of so much danger, so remote from the principal scene of the war, and so little in the way of acquiring reputation or glory, not being an object for any of the ordinary officers of State, was in danger of being neglected, until Publius Cornelius Scipio, son of the elder of the two brothers, who had both recently fallen in the field, solicited the honour of succeeding to their command.

This young man was already known by circumstances which recommended him greatly to public favour. He had, at the age of seventeen, beginning his military services, had the good fortune to rescue and preserve his father, who was on the point of being killed or taken by the enemy on the Tecinus. Being afterwards engaged in the battle of Cannæ, and one of a band of young men who forced

forced their way to Cannusium, he prevented the execution of a design they formed to abandon Italy, obliging them severally to bind themselves by an oath, that they would remain and contend for the fortunes of their country to the last. CHAP.
V.

Many of the more severe forms of the commonwealth having been dispensed with in the present exigencies of the state : This young man had been already admitted into public office, though under the legal standing and age ; being only turned of twenty four, one year younger than Hannibal was when he took the command of the Carthaginian army, and four years younger than he was when he marched into Italy. Upon the arrival of this young man in Spain, with a reinforcement of ten thousand men, and thirty gallies or armed ships, he found the remains of his vanquished countrymen within the Iberus, or on the left of that river, in a place of retreat to which they had been conducted by Lucius Marcius with an ability which, in the midst of disaster, the Romans wisely rewarded equally with the most brilliant successes.

Here Scipio accordingly landed, and fixed his principal quarters for the winter at Tarraco¹. By his information of the posture of the enemy, it appeared that they had placed their principal stores and magazines at New Carthage, and thinking this place sufficiently secured by its garrison of one thousand men, had separated their army into three

N 4

divisions,

¹ New Tarragona.

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V.

divisions, of which none was nearer to New Carthage than ten days march. He himself was indeed farther removed from this place; being at the distance of about three hundred miles, he nevertheless formed the project of surprizing it, trusting to the apparent security of his enemies, and the prospect of being able to accomplish the greater part of his march, before his design should be suspected, or any measures could be taken to prevent its effect. He accordingly succeeded in his enterprize, and gave his enemies occasion to know, that they were still to contend for the possession of a country, which they began to consider as a place of arms, from which they were to supply the exigencies of the war in Italy.

Of the Carthaginian commanders now in Spain, two are mentioned of the same name, Hasdrubal the son of Hamilcar, and consequently the brother of Hannibal, and another Hasdrubal the son of Gisgo, with Mago, Hanno and others.

The good policy of either the Romans or Carthaginians, in employing any considerable part of their forces in Spain may be questioned, whilst the former were contending for their own existence at home, and the other were aiming a blow at the very vitals of their enemy, within the precincts of their own domain. But to Carthage Spain was a principal source of supply and recruit to their armies; and to Rome, of course, it was material to employ at a distance any part of their enemies

mies force, or to disturb them in the possession of a province, from which they had already made war upon Italy by land, and with such effect as their greatest superiority at sea had never before enabled them to obtain. CHAP.
V.

It appears that about the time of the young Scipio's arrival in Spain, the Carthaginian leaders were specially occupied in preparing a reinforcement for Hannibal in Italy. The choice of their forces, with every requisite for undertaking an arduous march by the Pyrenees, Gaul, and the Alps, were mustered under Hasdrubal the son of Hamilcar; and another army, still more numerous, under Hasdrubal the son of Gisgo, was prepared, by occupying the Roman forces in Spain, to cover the march of the former.

Scipio, after the reduction of New Carthage, had returned to his former quarters at Tarraco, as being for him the proper station from which to observe the motions of the enemy, and oppose them in case they should attempt to pass the Iberus, or direct their march towards Gaul. It being necessary, therefore, to the execution of their plan, to withdraw the Roman general from his station, their whole force was put in motion, and pointed towards New Carthage, as for the recovery of their communication with Africa, which they had suffered in the preceding campaign to be cut off; and Hasdrubal the son of Hamilcar, as forming the advanced corps of their army on this destination, took a post on the Bœtis, from

CHAP. from which he threatened that place with a siege.
 V. Scipio thus alarmed, made haste to cover his new acquisition, and to contend with the first division of the enemy, before the second could advance to give it support. At his arrival in those parts, Hasdrubal still remained in his station, and had not been joined by his colleague.

In these circumstances it appeared expedient for the Romans to risk an immediate attack; and Hasdrubal, having gained his object in removing Scipio from his station, took the opportunity of a seeming retreat to enter on his route towards Italy. Scipio though victorious, apprehending the immediate approach of a more numerous enemy, declined placing himself betwixt two hostile armies, by attempting to pursue his victory; and in this manner seemed to be outwitted by the enemy, whose object it was merely to open the way for the march of Hasdrubal, and his passage of the Iberus. Of this effect Scipio was soon aware, and though he could not himself follow, sent parties to observe the enemy, and in particular to watch their approach to the Pyrenees; and being soon apprised of their design upon Italy, sent information to Rome, and gave notice of the danger impending from the passage through the Alps of a second Carthaginian army, commanded by another son of Hamilcar¹.

This

¹ In this transaction Scipio may appear to have been overreached; and in respect to the address of his enemy, there is no doubt, that, admitting the object

This intelligence produced at Rome a proportional alarm. The city and its colonies were forced to take arms, and whilst one of the Consuls, Claudius Nero, was destined to make head against Hannibal in Lucania or Apulia, the other, Livius Salinator, was posted on the Sena, the route by which Hasdrubal, if he should surmount the difficulties of his march, was likely to attempt a junction with his brother.

To aid these defences, Scipio had also detached a considerable body from his army in Spain, which passed by Sea into Italy.

Of Hasdrubal's march we are now only told, that he followed the steps of his brother by the Pyrenees, the Rhône and the Alps. That his march was greatly facilitated by the opening which had been made by Hannibal in different passes; and that nations on his route, now more familiar with strangers, either gave him no obstruction, or, being inclined to favour his enterprise against the Romans, actually joined him, and enabled him to make his descent into Italy much sooner than had been expected either by his friends or his enemies;

object they pursued to be of sufficient consequence to be preferred to the reputation of victory, and to be attainable, even under the loss and discouragement of a defeat, the plan was by them ably laid, and carried into execution. But even on this supposition, Scipio must be acquitted of any mistake or defect of conduct. He advanced to cover an important station which the enemy must have seized, if he had not taken this measure. He took advantage of their separation to strike a decisive blow; and probably to disconcert any immediate project of offensive war. On a discovery of their march into Italy, what remained for him to do was not neglected, the enemy were carefully observed, and seasonable intelligence sent to Rome of their apparent intentions.

CHAP. V. mies^r ; and, if he had not lost some time in a fruitless attempt on Placentia, he might have had all the advantage of surprise in pursuing the object of his enterprize.

Whilst the family of Hamilcar were struggling for that ascendant in Spain, which was to enable them to make this second irruption by the Pyrenees and the Alps ; the war both in Italy and Sicily, was attended with many operations and events which, if detailed, might have furnished many proofs of distinguished ability, highly interesting to those who are qualified to receive instruction from such examples of conduct and their effects ; but the defect of materials, notwithstanding the eloquent narrations of Livy, consisting chiefly of fragments from Polybius, the principal military historian of those or any other times, reduce the account to a mere endeavour to connect the principal acts of the drama with one another, and with the catastrophe or general result.

The fortunes of Hannibal, as we have already observed, had been some time on the decline. Capua and Tarentum, notwithstanding his utmost exertions of skill to preserve them, had been retaken by the Romans. Whilst the first of these places was besieged, he attempted to force the enemies lines, and, being repulsed, made the feint of a hasty march by the higher grounds towards Rome itself, and actually encamped with his army on the Anio, about three miles from the gates of the city, from
which

which he could see the battlements, though no part of the city itself, the ground on which it stands having a declivity or shelving towards the river. On this occasion took place the bravados mentioned by Livy, of Hannibal setting up to sale in his camp the Forum, and some principal warehouses of Rome, in return for the purchase, which, he was told, was made at a high price, of the very field on which he himself was encamped¹. But neither this feint, nor the arrival of his brother in Italy, formed any effectual diversion in his favours.

When the Carthaginian reinforcement from Spain had passed the Po, Hannibal being in a kind of stationary camp, opposed to Claudius the Roman Consul, had not any intimation of his brother's approach. The letters which Hasdrubal had sent for this purpose, by some Gaulish horsemen in disguise, being intercepted, and carried to the Roman Consul in his camp, who upon this intelligence sent the letters to Rome, suggested the necessity of forming a camp at Narnia, to cover the city on that side, while he himself stole from his station in the night, with a considerable body, to join his colleague Livius on the Sena, and endeavour to cut off the approaching reinforcement before Hannibal could take any measures to effect their junction. At his arrival in the camp of Livius, both

armies,

¹ At this time also, by the same authority, Hannibal, who was sometimes witty, was pleased to be smart upon himself. This town, he said, I shall never take; when I could, I would not, and now, when I would, I cannot.

CHAP. V. armies, to conceal his arrival, were crowded with-
 in the same intrenchments; and Hasdrubal, think-
 ing himself a match for Livius alone, had advanced
 within half a mile of his front; but there, notwith-
 standing the care of the Romans to conceal their
 force, suspecting an increase of their numbers, he
 thought proper to withdraw, probably meaning
 to take some post in which he could defend him-
 self, and await the effect of the notice he had
 sent to his brother. In this movement by night
 he incurred some difficulty in repassing the Me-
 taurus, a river which falls into the Hadriatic in
 the neighbourhood of Fano: And, in these cir-
 cumstances, was attacked by the two Roman Con-
 suls, defeated, and slain, with the loss of his whole
 army; of whom above fifty thousand were either
 killed or taken.

Upon

1 On the fall of Hasdrubal, the Roman historian, as well as poet, makes
 the enemy himself attest the glory of their country, or pay court to his patrons
 in exclamations of dismay or despair. Annibal tanto simul publico familia-
 rique ictus luctu, *Agnosceret se fortunam Carthaginis fertur dixisse.* Liv.
 lib. xxvii. c. 51. And the poet, paying court to the Neros of his time,

Quid debeas, O Roma, Neronibus,
Tectis Metaurum flumen, et Hasdrubal
 Dixitque tandem perfidus Hannibal:
 Cervi, luporum præda rapacium,
 Sectamur ultro, quos opimus
 Fallere (et effugere) est triumphus.

HORAT. Carm. lib. 4. ode 4.

This is no doubt excusable in the poet, as agreeable to the allowed privi-
 lege of the profession; but in history it is surely a blemish to mix nationality
 with facts, or to adopt a report which makes the steady and resolute Hanni-
 bal utter words to the encouragement of his enemies, and the dismay of his
 own army. The sequel shows that he was a person not capable of such folly,
 and destined to the last to contend for the fortune of his country with unabating
 courage.

Upon this event, and the reduction of Syracuse, CHAP.
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by which the party of Carthage in Sicily was entirely overwhelmed, the Roman settlers everywhere, who had so long left their possessions a prey to their enemies, now returned to their habitations, and resumed their labours¹. And there could be no doubt that the war in Italy on the part of Hannibal, at least until he should receive succours either from Carthage or his ally the King of Macedonia, must remain altogether on the defensive: And from this time, accordingly, he contracted his quarters, withdrew his posts from Apulia, and gave notice to all his partisans in Italy, or to such as had any just cause to apprehend the resentment of Rome, that they should retire under the cover of his army in Bruttium, now Calabria. Here he made the necessary dispositions to subsist his army, and to secure their quarters; and, as if the subject of his history were ripe to be entered on record, he erected those famous monuments, which are cited by Polybius, and on which were engraven the particulars of his march, from Spain, and the numbers of his army in different periods of the war.

While matters in Italy were coming into this posture, the forces of Rome were no less prevalent in Spain. The young Scipio, after the departure of Hasdrubal, had well supported the reputation he gained in his first outset in that country, routed and dispersed the Carthaginian army, though strongly reinforced from Africa to
support

¹ Livy, lib. xxvii. c. 45, 46.

CHAP. support the operations of the two brothers in Italy ;
 V. took one of the generals ; and obliged Mago, with what force he could collect, to embark at Gades, where he waited the orders of Carthage, whether to return into Africa, or ply upon the coasts of Europe, wherever they might most effectually annoy or alarm the enemy.

In the midst of these successes, the Roman general gained no less among the natives of Spain, and the other late allies of Carthage, by a title new in the wars of Rome, and of every ancient nation, that of his clemency, and the reputation of a generous treatment of his captives and those he had subdued.

Numidia being at this time divided under two rival sovereigns, Syphax and Massinissa, the latter having his forces joined with those of Carthage in Spain, now partook in their recent defeats ; and the other had opened a correspondence with the Romans, during the dependence of events in that country. And Scipio, while he encouraged the advances that were made by Syphax, also procured, on his late victories, a pacific interview with Massinissa, and actually passed into Africa, and to the Court of Numidia, where he understood Hasdrubal, the son of Gisgo, was gone to secure the alliance of Syphax.

With thoughts thus intent on the advantages that might be obtained for his country by a correspondence in Africa, as well as in Spain, after an interval of five years from the time of his appointment

pointment to command, Scipio returned with much treasure, many captives, and a high reputation, to make his report at Rome, and was in condition to assure his fellow-citizens, that they had no longer any enemies to dread in the country he left.

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The Romans had been hitherto preserved in all the extremities of their fortune, by the felicity of their national character, or by the interest which every citizen took in the support of a political station, which, although it did not confer the superiority of genius, yet raised ordinary men to a degree of elevation approaching to heroism, and enabled the state they composed to subsist in great dangers, and to await the casual appearance of men, who receive from the hand of Nature that eminence of power which no culture can otherwise bestow. They had not yet opposed to Hannibal any antagonist of talents similar to his own, or of a like superiority to the ordinary race of men. This Scipio was the first who gave undoubtable proofs of his title to this character. He was yet under thirty years of age; and particulars of every sort relating to men of superior genius and virtue being interesting to mankind, it is even pleasing to know that this young man, according to Livy, was tall and graceful in his person, with a beautiful countenance, and engaging aspect; circumstances which the people are glad to find in their favourites, or which, when found, do not fail to contribute materially to the public choice. He was not yet by his age legally qualified to be admitted as can-

CHAP. ^{V.} didate for the highest rank in the commonwealth ; but the services he had recently performed, and the hopes of his country, procuring a dispensation from the law, the election of Consul was declared in his favour : And when the provinces, in the usual form, came to be set forth, and assigned to the officers of state, he moved, that Africa should be included in the number of provinces for the year, and be allotted to himself. There, he said, the Carthaginians may receive the deepest wounds, and from thence be most effectually obliged, for their own safety, to recal their forces from Italy¹.

Mago, in the year that followed his defeat, and the embarkation of the remains of his army at Gades, being unable to form any considerable enterprise on the coasts of Spain, had orders to make sail for Italy, and once more endeavour to reinforce the army of Hannibal ; but having lost some time in a fruitless attempt on New Carthage, he received a second order, as still likely to distract the enemy, to land at Genoa, and endeavour to renew the war in Liguria and Cisalpine Gaul.

Such was the state of affairs when Scipio proposed to invade Africa. The proposal was unfavourably received by the greater part of the Senate. It seemed to be matter of surprise, that while Rome itself lay between two hostile armies, that of Hannibal in Bruttium, and that of Mago in Liguria or Gaul, the Consul should propose to strip the Republic of so great a force as would be required

¹ Appian, de bello Punico.

red for the invasion of Africa. The fatal miscarriage of Regulus on that ground in a former war, the unhappy effect of precipitant counsels in the beginning of the present, were cited against him: and the desire of so arduous a station was even accounted presumptuous in so young a man.

The question was no doubt difficult, and likely to divide the young and the old; the first, for the most part, incline to the side of enterprise, the aged can forgo the most flattering prospects for the sake of safety. Among the difficulties which Scipio met with in obtaining the consent of the Senate in the execution of his plan, is mentioned the disinclination of the great Fabius, who, from a prepossession in favour of that dilatory war by which he himself had acquired so much glory, and by which, at a time when procrastination was necessary, he had retrieved the fortunes of his country, obstinately opposed the adopting of this hazardous project.

It had been, generally, an established maxim in the councils of Rome, to carry war, when in their power, into the enemy's country. They had been obliged to refrain in the present case only by the unexpected appearance of Hannibal in Italy, and were likely to return to the execution of their first design as soon as their affairs at home should furnish them with a sufficient respite. We may, therefore, conceive what they felt of the difficulties of the present war, from this and other circumstances; that even after fortune had so greatly inclined in their favour, they did not yet

CHAP. V. think themselves in condition to retaliate on the enemy ; or safe against the designs which Hannibal might form in Italy, if they should divide their armies, or detach so great a part of their force as might be necessary to execute the project of a war in Africa.

They concluded, however, at last, with some hesitation, that while the other Consul should remain opposed to Hannibal in Italy, Scipio might have for his province the Island of Sicily, dispose of the forces that were still there, receive the voluntary supplies of men and of money, which he himself might be able to procure ; and if he found, upon mature deliberation, a proper opportunity, that he might make a descent upon Africa. Agreeably to this resolution, he set out for the province assigned him, having a considerable fleet equipped by private contribution, and a body of seven thousand volunteers, who embarked in high expectation from the leader, and the service in which he proposed to employ them.

Scipio, thus furnished, instead of instructions, with a mere permission to make war at his own risk, and accountable for what he should attempt, as well as for the fidelity of his own conduct, passed into Sicily, and employed the whole year of his Consulship in making preparations for what might occur in his province. In this interval, however, having access by sea to the coasts which were occupied by Hannibal in Italy, he forced the town of Locri,

Locri, and posted a garrison there, under the command of Pleminius, an officer, whose singular abuses of power in that station became the subjects of complaint at Rome, and drew some censure on the Consul himself, by whom he was employed, and supposed to be countenanced, even in his crimes.

Scipio was said, on this occasion, not only to have connived at the outrages committed by Pleminius, whom he had stationed at Locri, but to have been himself, while at Syracuse, abandoned to a life of effeminacy and pleasure, unworthy of a person intrusted with so important a charge. It may appear strange, that this censure should arise from his having shewn a disposition at Syracuse to become acquainted with the learning of the Greeks. His enemies gave out, that he affected the manners of that people; that he passed his time among books, and in public places of conversation and Grecian exercise. Upon these surmises, a commission was granted to the Prætor of Sicily, with ten Senators, two Tribunes of the People, and one of the Ediles, who had orders to join the Prætor in that island, with specific instructions, that if they found Scipio accessory to the disorders committed at Locri, or reprehensible in his own conduct, they should send him in arrest to Rome: but that, if they found him innocent, he should continue in his command, and be suffered to carry the war wherever he thought most expedient for the good of the commonwealth.

The members of this formidable court of inquiry,

CHAP. V. ry, having landed at Locri, in their way to Sicily, ordered Pleminius, with thirty of his officers, in chains to Rome : and from Locri, proceeding to Syracuse, they reported from thence, that Scipio was no way accessary to the crimes committed by the troops in garrison at Locri : and that within the district of his own immediate command the allies were fully protected, and the troops preserved in such order and discipline, as, whensoever they should be employed, gave the most encouraging prospect of success to their country.

Such was the report in favour of this young man, who appears to have been the first Roman statesman or warrior, who shewed any considerable disposition to become acquainted with the literature and ingenious arts of the Greeks. In this particular, his Carthaginian rival is said to have advanced before him, having long studied the language and learning of those nations ; and having in his retinue some persons from Greece to aid him in the use of their writings.

Scipio, while he commanded the Roman army in Spain, having already conceived his design upon Africa, had with this view, as has been remarked, entered into correspondence with Syphax, king of Numidia ; and had actually made a visit in person to this prince, who, being then at variance with Carthage, was easily prevailed upon to promise his support to the Romans, in case they should carry the war into that country. The Roman general, now ready

ready to embark with a considerable army, sent CHAP.
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Lælius with the first division, probably to examine the coast, to choose a proper station at which to fix the assembling of his fleet, and to call upon the king of Numidia to perform his engagements.

This division of the fleet, at its first appearance, was supposed to bring the Roman Proconsul, with all his forces, from Sicily; and the Carthaginians, whatever reason they might, for some time, have had to expect this event, were, in a great measure, unprepared for it. They had their levies to make at home, and troops to hire from abroad; their fortifications were out of repair, and their stores and magazines unfurnished. Even their fleet was not in a condition to meet that of the enemy. They now hastened to supply these defects; and, though undeceived with respect to the numbers and force of the first embarkation, they made no doubt that they were soon to expect another; accordingly they continued their defensive arrangements, and took measures to secure themselves, or to avert the storm with which they were threatened.

They had recently made their peace with Syphax, king of Numidia; and, instead of an enemy in the person of this prince, had obtained for themselves a zealous ally. Tempted by his passion for Sophonisba, the daughter of Hasdrubal, a principal citizen of Carthage, who refused to marry him on any other terms, he had broken off his engagements with Scipio and the Romans. But this trans-

CHAP. V. action, which procured to the Carthaginians one ally, lost them another: for this high-minded woman, who, instead of a dower, contracted for armies in defence of her country, had formerly captivated Massinissa, another Numidian prince, who, being at variance with Syphax, and receiving his education at Carthage, had formed his attachments, there. Massinissa, while he had hopes of an alliance with the family of Hasdrubal, engaged all his forces and partizans in Numidia in behalf of the Carthaginians; and he himself in person had fought their battles in Spain. But, stung with his disappointment, and the preference which was given to his rival, he determined to court the favour of their enemies; had made advances to Scipio, before his departure from Spain; and now, hearing of the arrival of the Roman fleet, hastened to Hippo, where Lælius had come to an anchor, and made offer of his assistance, with that of his partisans in the kingdom of Numidia, and all the forces he could bring into the field.

Such was the state of parties in Africa, when this country was about to become the scene of war. The Carthaginians, still in hopes of diverting the storm, sent earnest instructions to both their generals to press upon the Romans in Italy, and to make every effort to distract or to occupy their forces, and to leave them no leisure for the enterprise abroad. They sent, at the same time, an embassy to the king of Macedonia, to remind him of the

the engagements into which he had entered with Hannibal, and to represent the danger to which he and every other prince must be exposed from a people so ambitious as the Romans, if they should be suffered to unite, by a conquest, the resources of Carthage with those of Rome.

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Philip, at the earnest entreaty of many Grecian states, who were anxious that the Romans should have no pretext to embroil the affairs of Greece, had, in the preceding year, made a separate peace, first with the Etolians, and afterwards with the Romans themselves¹; and was now extremely averse to renew the quarrel. The occasion, however, appeared to be of great moment; and he listened so far to the remonstrances of the Carthaginians, as to furnish them with a body of four thousand men, and a supply of money.

By such measures as these, hastily taken on the approach of danger, the Carthaginians endeavoured to make amends for the former remissness of their counsels. Hitherto they appear to have proceeded in the war with little concern, and to have intrusted their exertions to the ambition of a single family, by whose influence the State had been engaged in the quarrel². They neglected their strength at home, in proportion as they believed the enemy to be at a distance; and men so intent upon lucrative pursuits were indifferent to national objects, while their private interests appeared to be secure.

The

¹ Liv. lib. xxix. c. 13.

² The sons of Hamilcar.

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The harbour of Hippo, about fifty miles west from Carthage, and under the Fair Promontory, being seized by Lælius, furnished a place of reception for Scipio's fleet. This officer accordingly sailed from Sicily with fifty armed galleys, and four hundred transports. As he had reason to expect, that the country would be laid waste before him, great part of this shipping was employed in carrying his provisions and stores. The numbers of his army are not mentioned. His first object was to make himself master of Utica, situate about half-way between Carthage and Hippo, the place where he landed. He accordingly, without loss of time, presented himself before it; but soon found himself unable to obtain his end. The country, to a considerable distance, was desolate or deserted by the natives, and could not sustain his army. The Carthaginians had a great force in the field, consisting of thirty thousand men, under Hasdrubal the son of Gisgo, together with fifty thousand foot and ten thousand horse, under Syphax king of Numidia, who now advanced to form a junction with the forces of Carthage.

Scipio, on the approach of these numerous armies, withdrew from Utica, took possession of a peninsula on the coast, fortified the isthmus which led to it, and in this situation having a safe retreat, both for his fleet and his army, continued to be supplied with provisions by sea from Sardinia, Sicily, and Italy. But being thus reduced to act on the defensive in the presence of a superior enemy, and

not

not likely, without some powerful reinforcements CHAP. V.
from Rome, to make any further impression on Carthage, he had recourse to a stratagem which, though amounting nearly to a breach of faith, was supposed to be allowable in war, at least with an African enemy.

The combined armies of Carthage and Numidia lay in two separate encampments, and, it being winter, were lodged in huts covered with brushwood and the leaves of the palm. In these circumstances the Roman general formed a design to set fire to their camp, and, in the midst of the confusion which that alarm might occasion, to attack them in the night. In order to gain a sufficient knowledge of the ground, and of the ways by which his emissaries must pass in the execution of this design, he entered into a negotiation, and affected to treat of conditions for terminating the war. The apparent distress of his situation procured credit to these advances, and his deputies, under this pretence, being freely admitted into the enemy's camp, brought him minute information of their position, and of the avenues which led to different parts of their station.

Being possessed of these informations, Scipio broke off the treaty, advanced with his army in the night, and, in many different places at once, set fire to Hasdrubal's camp. The flames, being easily caught by the dry materials, spread with the greatest rapidity. The Carthaginians, supposing that these fires were accidental, and having no apprehension

CHAP. V. prehension that an enemy was near, ran without arms to extinguish them: And the Numidians, with still less concern, left their huts to gaze on the scene, or to lend their assistance. In this state of security and confusion, the Romans attacked and dispersed them with great slaughter¹; and Scipio being, in consequence of this action, again master of the field, returned to Utica, and renewed the siege or blockade of that place.

In such a surprise and defeat as the African armies had now received, they were likely to have lost their arms and their baggage, and to have nowhere numbers together sufficient to withstand an enemy; on this supposition, it had been already proposed at Carthage to have recourse to their last resort, the recalling of Hannibal from Italy. But upon a report from Hasdrubal and Syphax, that they were again arming and assembling their forces, and that they were joined by a recruit of four thousand men, newly arrived from Spain, this proposal was for some time laid aside. These appearances, however, were speedily blasted by a second defeat which the combined army received before they were fully assembled, and by a revolution which ensued in the kingdom of Numidia itself, where Syphax, pursued by Massinissa and Lælius, was vanquished and driven from his kingdom, which from thenceforward became the possession of his rival, and a great accession of strength to the Romans. On this calamity Hasdrubal being threatened by the populace of Carthage with vengeance for his repeated

¹ Polyb. lib. xiv. c. 5. Liv. lib. xxx. c. 6.

peated miscarriages, and being aware of the relentless and sanguinary spirit of his countrymen, durst not intrust himself in their hands; in a species of exile, accordingly, though with a body of eight thousand men who adhered to him, he withdrew from their service.

In this extremity there was no hope but in the presence of Hannibal; and expresses were accordingly sent both to Mago and himself, with all the forces they could bring for the defence of their country, to hasten their return into Africa.

Hannibal, it is probable, had for some time been prepared for this measure, having transports in readiness to embark his army; yet, in the usual style of reports adopted by his enemies, he is said to have received the order with some expressions of rage. “ They have now accomplished, he said, (speaking of the opposite faction at Carthage), what, by withholding from me the necessary supports in this war, they have long endeavoured to effect. They have wished to destroy the family of Barcas; and rather than fail in their aim, are willing to bury it at last under the ruins of their country¹. ”

While the Carthaginians were thus driven to what in the state of their policy might be considered as their last resource, Scipio advanced towards their city, and invested at once both Tunis and Utica, places which, though at the distance of above thirty miles from each other, may be considered

¹ Liv. lib. xxx. c. 20.

CHAP. V. sidered as bastions on the right and left, which flanked and commanded the country which led to the principal seat of their commerce and power. His approach gave the citizens of Carthage a fresh alarm, and seemed to bring their danger so near as not to admit of their waiting the arrival of relief from Italy. It appeared necessary to stay the arm of the victor by a treaty; and thirty Senators were accordingly deputed to sue for peace. These deputies, in their address to the Roman Proconsul, laid the blame of the war upon Hannibal; supported, as they alleged, by a desperate faction who had adopted his wild designs. They intreated that the Romans would once more be pleased to spare a republic, which was again brought to the brink of ruin by the precipitant counsels of a few of its members.

In answer to this abject request, Scipio mentioned the terms upon which he supposed that the Romans would be willing to accept of peace. A cessation of arms was concluded, and a negotiation commenced; but it was suddenly interrupted, and its final effect was prevented by the arrival of Hannibal. This undaunted commander, after many changes of fortune, having taken the necessary precautions to secure his retreat, in case he should be called off for the defence of Carthage; now in the seventeenth year of the war, and after he had supported himself sixteen years in Italy, by the sole force of his personal character and abilities, against the whole weight, institutions, re-
sources,

sources, discipline, and national character of the CHAP. Romans, transported his army from thence, land- ^{V.} ed at Hadrumetum; at a distance from any of the U. C. 551. quarters occupied by the Romans, and drew to his standard all the remains of the lately vanquished armies of Carthage, and all the forces which the republic was yet in condition to supply.

These tidings produced a change in the counsels of Carthage, and inspired the people with fresh presumption. They now flighted the faith which they had lately engaged to Scipio, and seized on all the Roman vessels, which, trusting to the cessation of arms, had taken refuge in their bay. They even insulted the messenger whom the Roman general sent to complain of this outrage; and hostilities thus, after a short intermission, were renewed with redoubled animosity and rancour on both sides.

The people of Carthage, under dreadful apprehensions of becoming a prey to the Romans, sent a message to Hannibal, then at Hadrumetum, to hasten his march, requesting him to attack the enemy, and at any hazard to relieve the city from the dangers and hardships of a siege. To this message he made answer, That in affairs of State the Councils of Carthage must decide; but in the conduct of war, the general who commands must judge of his opportunity to fight.

The forcing of Hannibal to evacuate Italy was a victory to Scipio; as this was the first fruit which he ventured to promise from the invasion of

CHAP. of Africa. With this enemy, however, in his rear,
 V. it was not expedient to continue the attack of
 Tunis or Utica. He withdrew his army from
 both these places, and prepared to contend for the
 field before he could hope to gain any fortress.

The Carthaginian leader having collected his
 forces at Hadrumetum, marched to the westward,
 intending to occupy the banks of the Bagrada,
 and from thence to observe and counteract the
 operations of his enemy. Scipio, intending to
 prevent him, or to occupy the advantageous ground
 on the upper Bagrada, took his route to the same
 country; and while both directed their march to
 Sicca, they met on the plains of Zama.

When the armies arrived on this ground, nei-
 ther party was in condition to protract the war.
 Hannibal, whose interest it would have been to
 avoid any hazardous measures, and to tire out his
 enemy by delays, if he were himself in possession
 of the country, or able to protect the capital from
 insult, was in reality obliged to risk the whole of
 its fortunes, in order to recover its possession from
 the hands of his enemies, or to prevent their re-
 newing the blockade, from which he had just obli-
 ged them to desist.

Scipio was far advanced in an enemy's country,
 which was soon likely to be deserted by its na-
 tives, and exhausted of every means of subsistence;
 he was far removed from the sea, the principal
 and only secure source of any lasting supply; sur-
 rounded by enemies; a great army under Hanni-
 bal

bal in his front ; the cities of Utica, Carthage, and Tunis, with all the armed force that defended them, in his rear. CHAP.
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In such circumstances both parties probably saw the necessity of immediate action ; and the Carthaginian general, sensible of the unequal stake he was to play, the safety of his country against the fortune of a single army, the loss of which would not materially distress the nation, determined to try the effect of a treaty, and for this purpose desired a personal interview with Scipio.

In compliance with this request, the Roman general put his army in motion, and the Carthaginians advancing at the same time, they halted at the distance of thirty stadia, or about three miles, from each other. The generals, attended by a few horse, met on an eminence between their lines. Hannibal began the conference, by expressing his regret that the Carthaginians should have aimed at any conquest beyond their own coasts in Africa, or the Romans beyond those of Italy. “ We began,” he said, “ with a contest for Sicily ; “ we proceeded to dispute the possession of Spain, “ and we have each in our turns seen our native “ land over-run with strangers, and our country “ in danger of becoming a prey to its enemies. “ It is time that we should distrust the caprice of “ fortune, and drop an animosity which has “ brought us both to the verge of destruction. “ This language indeed may have little weight “ with you, who have hitherto been successful in

CHAP. V. “ all your attempts, and who have not yet experienced any reverse of fortune ; but I pray you
 “ to profit by the experience of others. You now
 “ behold in me a person who was once almost
 “ master of your country, and who am now
 “ brought, at last, to the defence of my own. I
 “ encamped within a few miles of Rome, and offered the possessions round the Forum to sale.
 “ Urge not the chance of war too far. I now
 “ offer to surrender, on the part of Carthage, all
 “ her pretensions to Spain, Sardinia, Sicily, and
 “ every other island that lies between this continent and yours. I wish only for peace to my
 “ country, that she may enjoy undisturbed her ancient possessions on this coast ; and I think, that
 “ the terms I offer are sufficiently advantageous
 “ and honourable to obtain your consent.”

To this address Scipio replied, “ That the Romans had not been aggressors in the present or
 “ preceding wars with Carthage : that they strove
 “ to maintain their own rights, and to protect
 “ their allies ; and that, suitably to these righteous
 “ intentions, they had been favoured by the justice
 “ of the gods : that no one knew better than himself the instability of human affairs, nor should
 “ be more on his guard against the chances of
 “ war. The terms,” he said, “ which you now
 “ propose might have been accepted, had you offered them while yet in Italy, and had proposed, as a prelude to the treaty, to remove from
 “ thence ; but now, that you are forced not only
 “ to

“ to evacuate the Roman territory, but are strip- CHAP.
 “ ped of part of your own, and are already driven V.
 “ from every post you propose to surrender; these
 “ concessions are no longer sufficient; they are no
 “ more than a part of the conditions already
 “ agreed to by your countrymen, and which they,
 “ on your appearance in Africa, so basely retrac-
 “ ted. Besides what you now offer, it was pro-
 “ mised on their part, that all Roman captives
 “ should be restored without ransom; that all ar-
 “ med ships should be delivered up; that a sum
 “ of five thousand talents should be paid, and
 “ hostages given by Carthage for the performance
 “ of all these articles.

“ On the credit of this agreement we granted a
 “ cessation of arms, but were shamefully betrayed
 “ by the councils of Carthage. Now to abate any
 “ part of the articles which were then stipulated,
 “ would be to reward a breach of faith, and to
 “ instruct nations hereafter how to profit by perfidy.
 “ You may therefore be assured, that I will
 “ not so much as transmit to Rome any proposal
 “ that does not contain, as preliminaries, every
 “ article formerly stipulated, together with such
 “ additional concessions as may induce the Ro-
 “ mans to renew the treaty. On any other terms
 “ than these, Carthage must vanquish, or submit
 “ at discretion.”

From this interview both parties withdrew with an immediate prospect of action; and on the fol-

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lowing

¹ Polyb. lib. xv. c. 6, 7, 8.

CHAP. V. lowing day, neither having any hopes of advantage from delay or surprise, came forth into the plain in order of battle.

Hannibal formed his army in three lines with their elephants in front.

Scipio drew forth his legions in their usual divisions, but somewhat differently arranged.

Hannibal had above eighty elephants, with which he proposed to begin the action. Behind these he formed the mercenary troops, composed of Gauls, Ligurians, and Spaniards. In a second line he placed the Africans and natives of Carthage; and in a third line, about half a quarter of a mile behind the first, he placed the veterans who had shared with himself in all the dangers and honours of the Italian war. He placed his cavalry in the wings, opposite to those of the enemy.

Scipio posted Lælius with the Roman cavalry on his left, and Massinissa with the Numidian horse on his right. He placed the maniples, or divisions of the legions, not as usual mutually covering their intervals, but covering each other from front to rear. His intention in this disposition was to leave continued avenues or lanes, through which the elephants might pass without disordering the columns. At the head of each column he placed the Velites, or irregular infantry, with orders to gall the elephants, and endeavour to force them back upon their own lines; or, if this could not be effected, to fly before them into the intervals of the heavy-armed foot, and, by the
ways

ways which were left open between the maniples, to conduct them into the rear. It being the nature of these animals, even in their wild state, to be the dupes of their own resentment, and to follow the hunter by whom they are galled, into any snare that is prepared for them¹; the design thus formed by Scipio to mislead these animals, accordingly, with respect to many of them, proved successful.

As soon as the cavalry began to skirmish on the wings, Hannibal gave the signal for the elephants to charge. They were received by a shower of missile weapons from the Roman light infantry, and, as usual, carried their riders in different directions. Some broke into their own line with considerable disorder, others fled between the armies and escaped by the flanks, and many, incited with rage, as Scipio had foreseen, pursued the enemy that galled them through the intervals of the Roman divisions quite out of the action; and in a little time the front of the two armies was cleared of these animals, and of all the irregulars who had skirmished between them whilst they were preparing to engage.


Although the first and second line of Hannibal's foot had advanced, to profit by the impression which the elephants were likely to make; the third line still remained on its ground, and seemed to stand aloof from the action.

In these circumstances, the first line of the Carthaginian army, composed of Gauls and Ligurians,

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engaged

¹ Vid. Buff. Hist. Nat.

CHAP. engaged with the Roman legions; and, after a short
 V.  resistance, were forced back on the second line, who, having orders not to receive them, nor allow them to pass, presented their arms. The fugitives were accordingly massacred on both sides, and fell by the swords of their own party or by those of the enemy.

The second line, consisting of the African and native troops of Carthage, had a similar fate; they perished by the hands of the Romans, or by those of their own reserve, who had orders to receive them on their swords, and turn them back, if possible, against the enemy.

Scipio, after so much blood had been shed, finding his men out of breath and spent with hard labour, embarrassed with heaps of the slain, scarcely able to keep their footing on ground become slippery with mud and gore, and under these disadvantages likely to be instantly attacked by a fresh enemy, who had yet borne no part in the contest; he endeavoured, without loss of time, to put himself in a posture to renew the engagement.

His cavalry, by good fortune, in these hazardous circumstances, were victorious on both the wings, and were gone in pursuit of the enemy. He ordered the ground to be cleared; and his columns, in the original form of the action, having been somewhat displaced, he ordered those of the first line to close to the centre; those of the second and third to divide, and, gaining the flanks, to form in a continued line with the front. In this manner,

ner, while the ground was clearing of the dead, CHAP. V.
 probably by the Velites or irregular troops, he, with
 with the least possible loss of time, and without
 any interval of confusion, completed his line to re-
 ceive the enemy. An action ensued, which, being
 to decide the event of this memorable war, was
 likely to remain some time in suspense; when the
 cavalry of the Roman army, returning from the
 pursuit of the horse they had routed, fell on the
 flank of the Carthaginian infantry; and obliged
 them to give way.

Hannibal had rested his hopes of victory on the
 disorder that might arise from the attack of his
 elephants, and if this should fail, on the steady va-
 lour of the veterans, whom he reserved for the last
 effort to be made, when he supposed that the Ro-
 mans, already exhausted in their conflict with the
 two several lines whom he sacrificed to their ar-
 dour in the beginning of the battle, might be un-
 able to contend with the third, yet fresh for action
 and inured to victory. He was disappointed in the
 effect of his elephants, by the precaution which
 Scipio had taken in opening his intervals, and in
 forming continued lanes for their passage from front
 to rear; and of the effect of his reserve, by the re-
 turn of the enemy's horse, while the action was
 yet undecided. Having taken no measures to
 secure a retreat, nor to save any part of his army,
 he obstinately fought every minute of the day to
 the last; and when he could delay the victory

CHAP. ^{V.} of his enemy no longer, he quitted the field with a small party of horse, of whom many, overwhelmed with hunger and fatigue, having fallen by the way, he arrived with a few, in the course of two days and two nights, at Hadrumentum. Here he embarked and proceeded by sea to Carthage. His arrival convinced his countrymen of the extent of their loss. Seeing Hannibal without an army, they believed themselves to be vanquished; and, with minds unprovided with that spirit which supported the Romans when overthrown at Thrasimenus and Cannæ, were now desirous, by any concessions, to avert the supposed necessary consequences of their fate.

The riotous populace, who had so lately pursued with vengeance, and threatened to tear asunder the supposed authors of peace¹, were now silent, and ready to embrace any terms that might be prescribed by the enemy. Hannibal, knowing how little his countrymen were qualified to contend with misfortune, confessed in the Senate, that he was come from deciding, not the event of a single battle, but the fate of a great war, and advised them to accept of the victor's terms². They accordingly determined to sue for peace.

In the mean time the Roman army, in pursuit of its victory, was returned to the coast; and having received from Italy a large supply of stores and military engines, together with a reinforcement

¹ Appian de Bell. Punic. p. 31.

² Polyb. lib. xv. c. 4—17. Liv. lib. xxx. c. 31.

ment of fifty galleys, was in a condition, not only to resume the siege of Utica and Tunis, but likewise to threaten with a storm the capital itself; and, for this purpose, began to invest the town and block up the harbour.

Scipio being himself embarked, and conducting the fleet to its station, was met by a Carthaginian vessel that hoisted wreaths of olive and other ensigns of peace. This vessel had ten commissioners on board, who were authorised to declare the submission of Carthage, and to receive the victor's commands.

The ambition of Scipio might have inclined him to urge his victory to the utmost, that he might carry, instead of a treaty, the spoils of Carthage to adorn his triumph at Rome. But the impatience with which the Consuls of the present and of the preceding year endeavoured to snatch from his hands the glory of terminating the war, may, with other motives, have induced him to receive the submission of the vanquished upon the first terms that appeared sufficiently honourable, and suited to the object of the commission with which he had been charged.

In allusion to this circumstance, he was heard to say, that Claudius, by his impatience to supplant him in this command, had saved the republic of Carthage¹. But men seldom act from any single consideration; and Scipio is, in all probability, justly supposed to have had other and nobler motives

¹ Appian de Bell. Punic. p. 36.

CHAP. ^{V.} tives than this jealousy of a successor. He is even said to have spared the rival of his country, in order to maintain the vigilance of state and the emulation of national virtue. This consideration of an ingenuous mind the Elder Cato, who had served under him in the station of Quæstor, and who was not inclined to flatter, did him the honour to ascribe to him in a speech to the Senate¹.

Scipio, having appointed the Carthaginian commissioners to attend him at Tunis, prescribed the following terms :

That Carthage should continue to hold in Africa all that she had possessed before the war, and be governed by her own laws and institutions :

That she should make immediate restitution of all Roman ships or other effects taken in violation of the late truce :

Should release or deliver up all captives, deserters, or fugitive slaves taken or received during any part of the war :

Surrender the whole of her fleet, saving ten galleys of three tier of oars :

Deliver up all the elephants she then had in the stalls of the republic, and refrain from taming or breaking any more of those animals :

That she should not make war on any nation whatever without consent of the Romans :

That she should indemnify Massinissa for all the losses he had sustained in the late war :

And, to reimburse the Romans, pay a sum of ten

¹ Appian de Bell. Punic. p. 36.

ten thousand talents¹, at the rate of two hundred talents a-year for fifty years.

That the State should give hostages for the performance of these several articles, such as Scipio should select from the noblest families of Carthage, not under fourteen, nor exceeding thirty years of age :

And that, until this treaty should be ratified, they should supply the Roman forces in Africa with pay and provisions.

When these conditions were reported in the Senate of Carthage, one of the members arose, and, in terms of indignation, attempted to dissuade the acceptance of them ; but Hannibal, with the tone of a master, interrupted and commanded him silence. This action was resented by a general cry of displeasure ; and Hannibal, in excuse of his rashness, informed the Senate, that he had left Carthage while yet a child of nine years old ; that he was now at the age of forty-five ; and, after a life spent in camps and military operations, returned for the first time to bear his part in political councils ; that he hoped they would bear with his inexperience in matters of civil form, and regard more the tendency than the manner of what he had done ; that he was sensible the proposed terms of peace were unfavourable, but he knew not how else his country was to be rescued from her present distress ; he wished to reserve her for a time in which she could exert her resolution with more advantage.

¹ Near two millions Sterling.

CHAP. advantage. He hoped that the Senate would, in
 V. the present extremity, accept, without hesitation, and even without consulting the people, conditions which, though hard, were, notwithstanding, less fatal to the commonwealth than any one could have hoped for in the night that followed the battle of Zama¹.

U. C. 552. The conditions were accordingly accepted, and deputies were sent to Rome with concessions, which in some measure stripped the republic of her sovereignty. The ratification of the treaty was remitted to Scipio, and the peace concluded on the terms he had prescribed.

Four thousand Roman captives were instantly released : five hundred galleys were delivered up and burnt : the first payment of two hundred talents was exacted, and, under the execution of this article, many members of the Carthaginian Senate were in tears. Hannibal was observed to smile, and being questioned on this insult to the public distress, made answer, That a smile of scorn for those who felt not the loss of their country, until it affected their private concerns, was an expression of sorrow for Carthage.

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¹ Polyb. lib. xv. c. 18. Liv. lib. xxx. c. 37.

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State of Rome at the Peace with Carthage.—Wars with the Gauls.—With the Macedonians.—Battle of Cynocæphalæ.—Peace.—Freedom to Greece.—Preludes to the War with Antiochus.—Flight of Hannibal to that Prince.—Antiochus passes into Europe.—Dispositions made by the Romans.—Flight of Antiochus to Asia.—His Defeat at the Mountains of Sipylus.—Peace and Settlement of Asia.—Course of Roman Affairs at Home, &c.

I N the course of a war, which terminated in so distinguished a superiority of the Roman over the Carthaginian republic, the victors had experienced much greater distress than had, even in the last stage of the conflict, fallen to the share of the vanquished. The territory of Rome, for some years, lay waste ; habitations were in ruin ; slaves and cattle carried off, and the people themselves dispersed. The city was reduced to a scanty supply of provisions and threatened with famine¹. Among other modes of taxation devised at this time, the monopoly of salt was established or renewed ; but every public fund, constituted in the ordinary way being insufficient, the State had recourse to the voluntary contribution of its members, and called for their plate and other ornaments of silver and gold to supply the defect. The silver coin was debased by a great mixture of alloy,

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¹ Polyb. Excerptæ Legationis.

CHAP. VI. loy, and the copper As was reduced from its late coinage at two ounces to one¹. The numbers of the people on the rolls, either by desertion or by the sword of the enemy, uncommonly fatal in such a series of battles, were reduced from two hundred and seventy thousand to nearly the half².

In the musters and levies, no less than twelve colonies at once withheld their names, and refused their support. Yet, proof against the whole of these sufferings, the Romans maintained the conflict with a resolution, which seemed to imply, that they considered the smallest concession as equivalent to ruin. And in the continued exertion of this unconquerable spirit, in proportion as the pressure of war was removed, their circumstances rose to a flood of prosperity and greatness, corresponding to the low ebb to which they seemed to have fallen in the course of their adverse fortune.

They joined, in Sicily, to their former possessions, the city of Syracuse, and the whole kingdom of Hiero. In Spain, they succeeded to all the possessions, to all the claims and pretensions of Carthage, and became masters of all that had been the subject of dispute in the war. They brought Carthage herself under contribution, and reduced her almost to the state of a province.

¹ Plin. Nat. Hist. lib. iii. c. 3.

² These were probably the citizens, fit to carry arms, residing in the city; for it was not yet the practice to enrol those who did not offer their names at Rome.

On the side of Macedonia and Illyricum, in their treaty with Philip and his allies, they retained to themselves considerable pledges, not only of security, but of power ; and began to be considered in the councils of Greece, as the principal arbiters of the fortunes of nations.

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In Italy, where their progress was still of greater consequence, they became more absolute masters than they had been before the war. The cantons, which, in so general a defection of their allies, had continued faithful to them, were fond of the merit they had acquired, and were confirmed in their attachment by the habits of zeal which they had exerted, and the pride they indulged as partners in so prosperous a cause. Those, on the contrary, who had revolted, or withdrawn their allegiance, were reduced to a state of submission more entire than they had formerly acknowledged ; and the sovereignty of the whole being, till now, precarious and tottering, derived, from the very storm which had shaken it, stability and force.

But, notwithstanding the splendour of such rapid advancement, and of the high military and political talents which procured it, if by any accident the career of the Romans had been stopt at the present conjuncture, their name, it is probable, would never have appeared on the record of polished nations, nor they themselves been otherwise known than as a barbarous horde which had fallen a prey to more fortunate assertors of dominion or conquest.

The

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The Romans, being altogether men of the sword, or of the State, made no application to letters, or sedentary occupations. Cato is introduced by Cicero as saying, That it had been anciently the fashion at Roman feasts to sing heroic ballads in honour of their ancestors ; that this custom had been discontinued in his own time ; and it is probable, from the great change which their language underwent in a few years, that they had no popular standard in writing, or even in oral tradition, by which the uniformity of language has, in other instances, been longer preserved. They had hitherto no historian, poet, or philosopher ; and it was only now, that any taste began to appear for the compositions or work of such hands. Fabius, Ennius, and Cato, became the first historians of their country, and raised the first literary monuments of genius that were to remain with posterity ¹.

The inclination which now appeared for the learning of the Greeks was, by many, considered as a mark of degeneracy, and gave rise to the never-ending dispute, which, in this as in other nations, took place between the patrons of ancient and modern times. The admirers of antiquity, being attached to what they received from their ancestors, were disposed to reject even real improvements, and seemed willing to stop the progress of ingenuity itself. The gay, and the fashionable, on the other hand, liked what was new ;

were

¹ In the sixth century of Rome.

were fond of every change, and would ever adopt the latest invention as the model of elegance as well as fashion. CHAP.
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To the simplicity of the Roman manners in other respects, and to the ability of the most accomplished councils of State, was joined a very gross superstition, which led to many acts of absurdity and cruelty. In this particular it appears, that the conceptions of men, however they may affect the conduct of private life, are altogether unconnected with their civil and political, as well as military character; and that the rites they adopt, even when innocent, and the most admissible expressions of worship, do not deserve to be recorded for any other purpose, than to shew how far they are arbitrary; and how little, in many instances, they are directed, even among nations otherwise the most accomplished, by any rule of utility, humanity, or reason.

A little time before the breaking out of the late war, the Roman Senate, upon the report of a prophecy, that the Gauls and the Greeks were to possess the city, ordered a man and a woman of each of those nations to be buried alive in the market-place; supposing, we may imagine, that, by this act of monstrous injustice and cruelty, they were to fulfil or elude the prediction¹. They attended to the numberless prodigies that were annually collected, and to the charms that were suggested to avert the evils which those prodigies were

¹ Plutarch. in Vit. Marcell.

CHAP. VI. were supposed to presage, no less than they did to the most serious affairs of the Commonwealth¹.

They frequently seemed to impute their distresses, more to the neglect of superstitious rites, than to the misconduct of their officers, or to the superiority of their enemies. Fabius, who, by perseverance and steadiness, in a time of adversity, had the merit of restoring their affairs, was no less celebrated for his diligence in averting the effect of prodigies and unhappy presages, than he was for the conduct and ability of a cautious and successful commander². Even Scipio is said to have been influenced by his dreams, and to have had his special revelations: But in a mind like his, even dreams and revelations might partake of the soil in which they spring up, and be the suggestions of sound reason itself. From such examples, however, we may learn the fallacy of partial representations of national character, and be warned to avoid any inference from the defects or accomplishments which individuals or nations may exhibit of one kind, to establish those of another.

The peace with Carthage was introduced with some popular acts, in favour of those who had suffered remarkably in the hardships and dangers of the war. Large quantities of corn, that had been seized in the magazines of the enemy, were sold in the city at a low price; and a considerable distribution of land was made to numbers of the people in reward of their long and perilous services.

These precedents, however reasonable in the circumstances,

¹ Vid. Liv. passim.

² Plutarch. in Vit. Fab. Max.

circumstances from which they arose, became the sources of great abuse; idle subjects, in the sequel, were taught to rely on public gratuities, and were made to hope, that, in the midst of sloth and riot, they might subsist without care, and without industry. Soldiers were taught to expect extraordinary rewards for ordinary services; and ambitious leaders were instructed how to transfer the affection and the hopes of the legions from the republic to themselves.

The treaty with Carthage, while it terminated the principal war in which the Romans were engaged, being still short of absolute peace, only left them at leisure to pursue a variety of quarrels, which yet remained on their hands. The Insubres, and other Gaulish nations on the Po, although they had not taken the full advantage, which the presence of Hannibal in Italy might have given them against the Roman usurpations, were unable to remain at peace, and were unwilling to acknowledge the assumption of power in any nation over their own. Having a Carthaginian exile, of the name of Hamilcar, at their head, they attempted again to dislodge the colonies of Cremona and Placentia; and, on that side, with various events for some years, furnished occupation to the arms of the republic.

Philip, notwithstanding the treaty of peace, which, about three years before, he had concluded with the Romans, had lately supplied the Carthaginians with an aid of four thousand men, and a sum of money. Of the men he had sent to the

CHAP. assistance of Carthage, many had been taken at the
 VI. battle of Zama, and detained as captives. Trusting, however, to the authority of his crown, he sent, while the treaty of peace betwixt the Romans and Carthaginians was in agitation, a message to demand the enlargement of his subjects. To this message the Senate replied with disdain, that the king of Macedonia appeared to desire a war, and should have it.

Numbers, at the same time, wearied and exhausted with the late contest, engaged in this with uncommon reluctance. The Senate, they thought, was directed by the ambition of its members, who never ceased to seek for new subjects of triumph, and for fresh occasion of military honours to themselves. Upon the question being put, notwithstanding their aversion to indulge their leaders in such pursuits, the people were persuaded to give their consent, upon a representation of the great encroachments which were making by the king of Macedonia on his neighbours, and the supposed necessity of carrying the war into his own country, in order to check or prevent his designs even upon Italy itself.

Philip, from being the head of a free confederacy, in which the Achæans, and many other states of Greece, were combined, aspired to become the despotic sovereign of that country; and, either by insinuation or force, had made himself master of most places of consequence round the Ægean Sea, whether in Europe or Asia. Upon the death of Ptolemy Philopater, and the succession of an infant

fant son of that prince to the throne of Egypt, the kings of Macedonia and Syria had entered into a concert to divide between themselves the possessions of the Egyptian monarchy; and Philip, in order to be ready for this more distant operation in the east, was busy in reducing the places which still held out against him in Greece, and its neighbourhood.

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For this purpose he had sent an army with orders to take possession of Athens, and was himself employed in the siege of Abydos. The Athenians sent a message to Rome to sue for protection. "It is no longer a question," said the Consul Sulpicius, in his harangue to the People, "whether you will have a war with Philip, but whether you will have that war in Macedonia or in Italy. If you delay until Philip has taken Athens, as Hannibal took Saguntum, you may then see him arrive in Italy, not after a march of five months, and after the passage of tremendous mountains, but after a voyage of five days from his embarkation at Corinth."

These considerations decided the resolution of the Roman People for war; and the officers, yet remaining in Sicily at the head of the sea and the land forces which had been employed against Carthage, had orders, without touching on Italy, to make sail for the coast of Epirus:

The Consul Sulpicius being destined to command in this country, found, upon his arrival, that Attalus, the king of Pergamus, and the republic

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of Rhodes, had already taken arms to oppose the progress of their common enemy. In concert with these allies, and in conjunction with the Dardanians and other cantons who joined him on the frontiers of Macedonia, the Roman Consul was enabled to relieve and to protect the Athenians. But the other states of Greece, though already averse to the pretensions of Philip, and impatient of his usurpations; even the Etolians, though the most determined opponents of this prince; seemed to be undecided on this occasion, and deferred entering into any engagement with the Romans. The reputation of the Macedonian armies was still very high; and it was doubtful, whether these Italian invaders, considered as an upstart and a barbarous power, might be able to protect the states that declared for them against the vengeance of so great a king^x.

The two first years of the war elapsed without any decisive event. Philip took post on the mountains that separate Epirus from Thessaly, and effectually prevented the Romans from penetrating any farther. But, in the third year, Titus Quintius Flamininus, yet a young man under thirty years of age, being Consul, and destined to this command, brought to an immediate issue a contest which, till then, had been held in suspense.

The Roman armies, except in their first encounters with Pyrrhus, had never measured their force, nor compared their advantages with any troops formed

^x Plutarch. in Vit. Flamin. p. 407.

formed on the Grecian model, and, to those who
 reasoned on the subject, the legion may have ap-
 appeared greatly inferior to the Macedonian pha-
 lanx. One presumption, indeed, had appeared in
 favour of the Romans, that both Pyrrhus and Han-
 nibal had been induced, by experience, to adopt
 their weapons, though there is no account of their
 having imitated the legion in its order of battle, or
 in the disposition of its manipules.

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The phalanx was calculated to present a strong
 and impenetrable front, supported by a depth of
 column, which might be varied occasionally to suit
 with the ground. The men were armed with lan-
 ces of twenty-one or twenty-four feet in length.
 The five first ranks, in levelling their shafts, could
 extend their points beyond the front of their line.
 The remainder, by resting their spears obliquely
 on the shoulders of those that were before them,
 formed a kind of shed to intercept the missiles that
 showered from a distance; and, with their pressure,
 supported, or urged on to the enemy, the weight
 of a column so formidably armed in the front.

In the shock of the phalanx and legion, it is com-
 puted, that every single man in the first rank of the
 legion, requiring a square space of six feet in which
 to ply his weapons, and acting with his buckler
 and sword, had ten points of the enemy's spears
 opposed to him¹: nevertheless, the strength of the
 phalanx being entirely collected a-breast, and de-
 pending on the closeness of its order; when at-

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tacked

¹ Polyb. lib. xvii. c. 23.

CHAP. VI. tacked on the flank or the rear, when broken or taken by surprise, and unformed, it was easily routed, and was calculated only for level ground, and the defence of a station accessible only in one direction.

The Roman maniples could face to the right, the left, or the rear ; and the legion had a separate force in every small division, or even in the arms of every single man ; and, if they had space enough to ply their weapons, could scarcely be taken by surprise, or be made to suffer for want of a determinate order. It was serviceable, therefore, upon any ground, and, except on the front of the phalanx, had an undoubted advantage over that body.

In its ordinary form, the legion made its attack on separate points, or at sensible intervals ; and its impressions had a tendency to bend or disjoin the front of the phalanx. The maniples of the second line were made to face the intervals of the first, in order to take advantage of any break or disorder in the front of the enemy, whether they repulsed and pursued, or gave way to the divisions that attacked them.

Such are the reasonings which occurred to military men, at least after the events of the present war. In the mean time the Romans, in whatever degree they comprehended this argument, had sufficient confidence in their own weapons, and in their loose order, to encounter the long spear and compacted force of their enemy.

When Flamininus arrived in Epirus, Philip received

ceived him in a rugged pass, where the Aëus bursts CHAP.
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from the mountains that separate Epirus from Thessaly. This post was strong, and could be defended even by irregular troops; but the phalanx, in this place, had none of its peculiar advantages; the Romans got round it upon the heights, and obliged the king of Macedonia to retire. He fled U. C. 555.
through Thessaly; and, to incommode the enemy in their attempts to pursue him, laid waste the country as he passed.

The flight of Philip determined the Etolians to take part in the war against him; and the Roman general, after the operations of the campaign, being to winter in Phocis on the gulph of Corinth, found, that the greater part of the Achæan states were likewise disposed to join him. He took advantage of this disposition, and got possession of all the towns in the Peloponnesus, except Corinth and Argos, which still continued in alliance with the enemy.

In the following spring, Philip, having with great industry collected and disciplined the forces of his kingdom, received Flamininus in Thessaly. The armies met in the neighbourhood of Pheræ; but the country, being interspersed with gardens, and cut with plantations and hedges, the king declined a battle, and withdrew. Flamininus, knowing that he had magazines at Scotusa, supposed that he was gone towards that place, and followed by a route that was separated from that of the king by a ridge of hills. In the first day's march, the

Romans

CHAP. Romans and Macedonians were hid from each other
 VI. by the heights ; and on the second day they were covered by a thick fog, which hindered them from seeing distinctly even the different parts of their own armies.

The scouts and advanced parties on both sides, had, about the same time, ascended the heights to gain some observation of their enemy. They met by surprise, and could not avoid an engagement. Each party sent for support to the main body of their respective armies. The Romans had begun to give way, when a reinforcement arrived, that enabled them, in their turn, to press on the enemy, and to recover the height from which they had been forced. Philip was determined not to hazard his phalanx on that unfavourable ground, broken and interspersed with little hills ; which, on account of their figure, were called the Cynocephalæ¹. He sent, nevertheless, all his horse and irregular infantry to extricate his advanced party, and enable them to retire with honour. Upon their arrival, the advantage came to be on the side of the Macedonians ; and the Roman irregulars were forced from the hills in the utmost disorder. The cry of victory was carried back to the camp of the king. His courtiers exclaimed, that now was the time to urge a flying enemy, and to complete his advantage. The king hesitated ; but could not resist the general voice. He ordered the phalanx to move ; and he himself at the head of the right

¹ The name implies, that these hills resembled the head of a dog.

right wing, while his left was marching in column, had arrived and formed on the hill. On his way to this ground, he was flattered with recent marks of the victory which had been gained by his troops. CHAP.
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The Roman general, at the same time, alarmed at the defeat of his light infantry, and seeing a kind of panic likely to spread through the legions, put the whole army in motion, and advanced to receive his flying parties. By this time the sun had considerable power, the fog cleared up, and discovered the right of the Macedonian phalanx, already formed on the height.

Flamininus hastily attacked this body, and, being unable to make any impression, gave up the day, on that quarter, for lost. But, observing that the enemy opposite to his right were not yet come to their ground, he instantly repaired to that wing, and, with his elephants and light infantry, supported by the legions, attacked them before the phalanx was formed, and put them to flight.

In this state of the action, a Tribune of the victorious legion, being insensibly led in pursuit of the enemy, beyond the flank of the phalanx which yet stood entire on the right, ventured to attack this body in the rear; and, by this fortunate attempt, in so critical a moment, completed the victory in all parts of the field.

Thus Philip, if his phalanx had any advantage over the legion of the Romans, had not, in two successive encounters, been able to avail himself of it; and it may well be supposed, that, in the movements,

CHAP. VI. ments, which require an army to act on varieties of ground, the chances are greatly in favour of the more versatile body¹.

From this field the king of Macedonia fled, with a mind already disposed not to urge the fate of the war any farther. He retired to the passes of the mountains that surround the valley of Tempe, and from thence sent a message to the Roman general with overtures of peace.

It was a fortunate circumstance in the manners and policy of the Romans, that the same motives of ambition which urged the rulers of the State to war, likewise, on occasion, inclined the leaders of armies to peace, made them admit from an enemy the first offers of submission, and embrace any terms on which they could for themselves lay claim to a triumph.

The prayer of the republic, in entering on a war, included three objects, safety, victory, and enlargement of territory². Every general endeavoured to obtain these ends for his country; but, in proportion as he approached to the completion of his wishes, he became jealous of his successor, and desirous to terminate a war before any other should come to snatch out of his hands the trophies he had won. This people appeared, therefore, on most occasions, willing to spare the vanquished, and went to extremities only by degrees, and urged by the ambition of successive leaders, who, each in his turn, wished to make some addition to the advantages

¹ Polyb. lib. xvii. c. 22.

² Liv. lib. xxxi. c. 5.

advantages previously gained to his country. At the same time, the State, when furnished with a fair pretence for reducing a province to subjection, made the most effectual arrangements to accomplish its end. CHAP. VI.

Flamininus, on the present occasion, encouraged the advances that were made to him by Philip, granted a cessation of arms, gave him an opportunity to continue his applications for peace at Rome, and forwarded the messenger whom he sent on this business. The Senate, on being informed that the king of Macedonia cast himself entirely on the mercy and justice of the Romans, named ten commissioners to be joined with Flamininus, and to determine, in presence of the other parties concerned in the war, what were to be the terms on which peace should be granted. U. C. 557.

The time was not yet come for the Romans to lay hold of any possessions beyond the sea of Ionia. They had transported their forces so far as the mere protectors of Athens; were satisfied with the title of Deliverers of Greece; and, under pretence of setting the republics of that quarter at liberty, detached them from the Macedonian monarchy; but, in this manner, made the first step towards conquest, by weakening their enemy, and by stripping him of great part of that power with which he had been able to resist them.

They obliged the king of Macedonia to withdraw his garrisons from every fortress in Greece, and to leave every Grecian city, whether of Europe

CHAP. VI. rope or Asia, to the full enjoyment of its own independence and separate laws.

Under pretence of securing the effects of this treaty, they obliged him to surrender all his ships of war, except one galley, on which, it was said, were mounted sixteen tier of oars, requiring a height above the water, and dimensions in every part, more fitted for ostentation than wieldiness or use.

They made him reduce his ordinary military establishment to five hundred men, and forbade him entirely the use of elephants.

For themselves, they desired only to have the Roman captives restored, deserters delivered up, and a sum of one thousand talents to reimburse the expence of the war.

By this treaty the Romans not only weakened their enemy, but acquired great accessions of reputation and general confidence. They announced themselves as protectors of all free nations; and in this character took an ascendant, which, even over the states they had rescued from foreign usurpations, by degrees might rise into sovereignty and a formal dominion.

To give the greater solemnity to the gift of liberty which they made to the Grecian states, they had this apparent act of splendid munificence proclaimed, in presence of great multitudes from every part of Greece, met to solemnize the ordinary games, at the Isthmus of Corinth; and, in return, were extolled by the flatterers of their power, or the dupes of

of their policy, as the common restorers of freedom to mankind.

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The Romans thus hastened the completion of the treaty, by which they disarmed the king of Macedonia, upon having received information, that Antiochus, king of Syria, was in motion with a mighty force, and, without declaring his intentions, made sail towards Europe. This prince had succeeded to the kingdom of Syria, a few years before Ptolomy Philopater began to reign in Egypt, or Philip in Greece; and was nearly of the same age with those princes. In his youth he waged war with the kingdom of Egypt for the possession of the Cælo-Syria, and with the Satraps or governors of his own provinces, who attempted to render themselves independent, and to dismember his kingdom. His success in re-uniting all the members of his own monarchy, put him in possession of a great empire, which reached from the extremities of Armenia and Persia to Sardis and the seas of Greece. The splendor of his fortunes procured him the title of Antiochus the Great. The crown of Egypt had been, for some time, the principal object of his jealousy and of his ambition. He had made an alliance with Philip, in which the common object of the parties was to avail themselves of the minority of Ptolomy: but he was not aware, in time, how much the king of Macedonia stood in need of his support against the Romans; or how much it was his interest to preserve that kingdom as a barrier against the encroachments of an ambitious

CHAP. tious people, who now began to direct their views
 VI. to the East. He advanced, however, though now
 too late, by the coast of Asia to the Hellespont, with a fleet and an army rather destined for observation, than for any decided part in a war which was actually brought to a conclusion about the time of his arrival in those parts.

At Lyfimachia, the Roman deputies, who had been charged with the adjustment and execution of the late treaty, met with Antiochus, and remonstrated against some of his proceedings on the coast of Asia, as affecting the possessions both of Philip and of Ptolomy. They complained of his present invasion of Europe with a hostile force. "The Romans," they said, "had rescued the Greeks from Philip, not to deliver them over to Antiochus." They demanded a restitution of all the towns he had taken from Ptolomy, and enjoined him to refrain from any attempts on the freedom of Greece.

To these remonstrances and requisitions the king of Syria with scorn replied, That he knew the extent of his own rights, and was not to be taught by the Romans: that they were busy in setting bounds to the ambition of other states, but set no bounds to their own; advised them to confine their views to the affairs of Italy, and to leave those of Asia to the parties concerned.

During the conferences which were held on these subjects, each of the parties, without communicating what they heard to the others, received

ved a report of the death of Ptolemy, the infant king of Egypt; and they separated, intent on the respective evils to be apprehended, or the benefits to be reaped, from this event.

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This report, in which both parties were soon after undeceived, occasioned the return of Antiochus into Syria, and suspended for some time the war which he was disposed to carry into Europe.

Under pretence of observing the motions of this prince, the Romans, although they had professed an intention to evacuate the cities of Greece, still kept possession of Demetrias, a convenient sea-port in Thessaly, and of Chalcis on the straits of Eubæa; and Flamininus, under pretence of restraining the violence of Nabis, the tyrant of Lacedæmon, and of restoring the tranquillity of that country², still remained with an army in the Peloponnesus.

While the Romans were carrying their fortunes with so high a hand in this part of the world, and defeating armies hitherto deemed invincible, they received a considerable check in Spain.

That country had been recently divided into two provinces; and, though now possessed by the Romans, without the competition of any foreign rival, it continued to be held by a very difficult and precarious tenure, that of force, opposed to the impatience and continual revolts of a fierce and numerous people.

Spain

¹ Liv. lib. xxxiii. c. 41.

² Ibid. c. 43.

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Spain had already furnished to Italy its principal supplies of silver and gold. At every triumph obtained in that country, the precious metals were brought in considerable quantities to the treasury of Rome; but were purchased for the most part with the blood of her legions, and led her into a succession of wars, in which she experienced defeat as well as victory. About the time that Flamininus had terminated the war in Macedonia; the Proconsul Sempronius, in the nearer province of Spain, was defeated with the loss of many officers of rank. He himself was wounded in action, and soon after died.

Even the Roman possessions in Italy were not yet fully recovered from the troubles which had arisen in the time of the late war with Carthage. The Gaulish nations on the Po still continued in a state of hostility. The slaves, of which the numbers had greatly increased in Etruria, and other parts of the country, being mostly captives taken from enemies inured to arms and to violence, interrupted their servitude with frequent and dangerous revolts. Having persons among them, who had been accustomed to command as well as to obey, they could form themselves into regular bodies, and encounter the forces employed against them in battle.

The ridge of the Appenines beyond the confines of Etruria and the Roman frontier, still harboured fierce and numerous tribes known by the name of Ligurians

Ligurians and Gauls, who not only often and long defended their own mountains and woods, but likewise frequently invaded the territory of the Romans. Here, or in Spain, during the recess of other wars, there was a continual service for the Consuls and Prætors, and a continual exercise to the legions. The State, nevertheless, though still occupied in this manner with petty enemies and desultory wars, never lost sight of the great objects of its jealousy, from whom were to be apprehended a more regular opposition, and better concerted designs of hostility. Among these, the Carthaginians were not likely to continue longer at peace than until they recovered their strength, or had the prospect of some powerful support: And the king of Syria, possessed of the principal resources of Asia, was ready to join with this or any other party that was inclined to check the advancement of the Roman greatness.

About a year after the conclusion of the war with Philip, the Romans received intelligence, that the Carthaginians had entered into a correspondence with Antiochus, and as their supposed implacable enemy, Hannibal, was then in one of the first offices of state at Carthage, it was not doubted, that any secret intrigues in which he was concerned² were hostile to Rome. It was determined, therefore, to send a proper commission into Africa, under pretence of an amicable mediation, in some differences that subsisted between Massinissa and the people of Carthage; but with injunc-

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tion to the commissioners employed on this business to penetrate, if possible, the designs of the Carthaginians; and, if necessary, to demand that Hannibal, the supposed author of a dangerous conspiracy against the peace of both the republics, should be delivered up.

This great man, from the termination of the late war, had acquitted himself in the political departments, to which he had been appointed, with an integrity and ability worthy of his high reputation as a soldier; but his reformatory in a corrupted state had procured him enemies at home, not less dangerous than those he had encountered abroad¹. Upon the arrival of the Roman deputies, he suspected that the commission regarded himself, and made no doubt that a faction, whose ambition he had restrained, and many particular persons whom he had recently incensed by the reformation of certain abuses in which they were interested, would gladly seize that opportunity to rid themselves of a powerful enemy, and from fear or some other motives, prevail on a corrupted people to deliver him up to the Romans. It is said, that he had been long prepared for an emergence of this sort, and, without any embarrassment, appeared, upon the arrival of these messengers, in all the functions of his public character; but at night withdrew to the coast, and set sail for Asia². He was received by Antiochus at Ephesus, and looked upon as a person worthy to direct the councils of

¹ Liv. lib. xxxiii. c. 46—49.

² Ibid.

a great king ; a point of view too much exposed to envy for the favourites of a court, or even for the prince himself long to endure. CHAP.
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From this time forward the king of Syria, supposed to be governed by the counsels of Hannibal, became the principal object of attention and of jealousy at Rome ; and though he seemed to remain in tranquillity during about three years after the acquisition of this formidable counsellor, yet it was not doubted that the first violent storm was to burst from that quarter.

Flamininus had, during the greater part of this interval, remained in Greece ; had been occupied in settling the affairs of that country, or in observing the Etolians, who, being dissatisfied with the late peace, endeavoured to raise a spirit of discontent against the Romans. He made war at the same time against Nabis, the tyrant of Lacedemon ; and though he failed in his attempt to force this famous usurper in his own capital, he obliged him to evacuate Argos, and to cede all his possessions on the coast. By these means he removed the dangers with which some States of the Achæan league had been threatened, and restored them to the secure possession of their freedom.

Having done so much, that no ground of jealousy or distrust might remain in Greece, Flamininus persuaded the Roman Commissioners to evacuate Demetrius, Chalcis, and Corinth, which they were disposed to retain in the prospect of a war with Antiochus ; and having thus concluded the affairs that

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were intrusted to him, he returned into Italy, and made his entry at Rome in a triumphal procession, which lasted three days, with a splendid display of spoils, captives, and treasure¹.

All the troubles of Greece, at the departure of Flaminius, seemed to be composed; these appearances, however, were but of short duration. Nabis being impatient under his late concessions; and flattering himself that the Romans would not repass the sea merely to exclude him from the possession of a few places of little consequence on the coast of the Peloponnesus, began to employ insinuation, corruption, and open force, in order to recover the towns he had lost. In this design he was encouraged by the Etolians, who flattered him with the hopes of support, not only from themselves, but likewise from Antiochus, and even from Philip; all of whom had an evident interest in repressing the growing power of the Italian republic. The Etolians had expected, at the close of the war with Philip, to come into the place of that prince, as the head of all the Grecian confederacies, and to have a principal share in the spoils of his kingdom. They urged the Roman Commissioners to the final suppression of that monarchy; and, being disappointed in all their hopes, complained of the Romans, as bestowing upon others the fruits of a victory which had been obtained chiefly by their means, and as having, under the pretence of setting the Greeks at liberty, reduced

¹ Liv. lib. xxxiv. c. 52.

reduced that country into a weak and disjointed state, which might in any future period render it an easy prey to themselves.

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Flamininus accordingly, in all the measures he took for the settlement of Greece, had met from this people with a warm and obstinate resistance. He found them endeavouring to form a powerful confederacy against the Romans, and for this purpose engaged in intrigues with Nabis, Philip, and Antiochus; applying to each of them in terms suited to the supposed injuries they had severally received in the late war, or in the negotiations that followed.

At the conclusion of the peace with Philip, Antiochus thinking himself, by the effects of that treaty, aggrieved, in respect to the freedom granted to some cantons in Thrace, on which he derived a claim from his ancestors, sent an embassy to Rome with remonstrances on this subject. The Romans made answer, In the capacity which they had assumed of the deliverers of Greece, that they would oppose every attempt to enslave any Grecian settlement whatever; and as they had no designs on Asia, they expected that the king of Syria would not intermeddle in the concerns of Europe. While they gave this answer to the Ambassador of Syria, they resolved, under pretence of treating with the king himself, to send commissioners, in their turn, to observe his motions.

Publius Scipio, the victor of Carthage, and who upon his return to Rome had been saluted with the

CHAP. VI. title of Africanus, is mentioned by some historians as having been of this commission, and as having had some conversations with Hannibal, which are recorded to the honour of both. Livy, however, seems to reject these particulars as fabulous, while he admits that the apparent intimacy of Hannibal with the Roman Commissioners, very much diminished the part which this formidable counsellor held in the confidence of the king.

About the same time it became known that Antiochus was meditating the invasion of Italy as well as of Greece; that the first of these objects was to be committed to Hannibal, who undertook to prevail on his countrymen to take a principal share in the war; and that, for this purpose, he had sent a proper person to concert measures with his party at Carthage; but the intrigue being discovered, the opposite faction, in order to exculpate themselves, gave that account by which the intention was known at Rome.

Before this intelligence had been received, the Roman Commissioners were set out for Asia; and, according to their instructions, passed through Pergamus to consult with Eumenes the sovereign of that district, who, having reason to dread the power of Antiochus, employed all his credit to engage the Romans in a war with that prince. They had an audience of the king of Syria at Apamea, and a conference afterwards on the object of their commission, with a principal officer of his

his court at Ephesus. This minister made no scruple to charge the Romans with the real designs of ambition, which they endeavoured to disguise under the pretence of procuring the liberties of Greece. “Your conduct,” he said, “where you are in condition to act without disguise, is a much better evidence of your intention, than any professions you may think proper to make in Greece or in Asia, where, by assuming a popular character, you have so many parties to reconcile to your interest. Are not the inhabitants of Naples and of Rhegium Greeks, as well as those of Lampascus and Smyrna? You are extremely desirous to set the Greeks at liberty from the dominion of Antiochus and Philip, but have no remorse in subjecting them to your own.”

The deputies of the cities whose interest was in question were present at these conferences, and each pleaded the cause of his respective country, but without any other effect than that of convincing the parties concerned, that a war could not long be avoided. The Romans, alarmed by the intelligence received from Carthage, while their deputies were thus employed in Asia, had already begun to prepare for hostilities; and upon the report of what had passed at the late conference, still continued to augment their forces by sea and by land. Under pretence of repressing the violences committed by Nabis, they ordered one army into Greece, and stationed a second on the coast of Calabria and Apulia,

CHAP. VI. Apulia, in order to support the operations of the first.

The Romans had reason to consider the Etolians as enemies, and even to distrust the intentions of many of the republics lately restored to their liberty, who began to surmise, that, under the pretence of being relieved from the dominion of Philip, they were actually reduced to a state of dependence on Rome.

To obviate the difficulties which from these surmises might arise among the Grecian republics, the Roman Senate sent a fresh commission into that country, requiring those who were named in it to act under the direction of Flamininus, the late deliverer of Greece. These commissioners found the principal cities of that country variously affected: a general meeting of the States being called to receive them at Demetrias, they were, by some of the parties present at this meeting, reproached with a design, under pretence of restoring the Greeks to their freedom, of detaching them from every power that was fit to protect them; and they were likewise reproached with a design of establishing their own tyranny, under pretence of opposing that of every other State.

This species of blasphemy, uttered against a power which the majority of those who were present affected to revere, raised a great ferment in the council; and the persons who had thus ventured to insult the majesty of Rome being threatened with violence, were forced to withdraw from

Demetrias,

Demetrius, and to take refuge in Etolia. The remaining deputies of Greece endeavoured to pacify the Roman Commissioners, and made humble intreaties that they would not impute to so many different nations, what was no more than the frenzy of a few individuals.

The Etolians had already invited Antiochus to pass into Europe. The measure was accordingly under deliberation in the council of this prince. Hannibal warmly recommended the invasion of Italy, as the most effectual blow that could be struck at the Romans. "At home," he said, "their force is still composed of disjointed materials, which will break into pieces when assailed by the immediate touch of an enemy; and the most effectual power that can be raised up against them, is that which may be formed from the ruins of their own empire. But if you allow them to remain in quiet possession of Italy, and to stretch out the arms of that country to a distance against you, their resources are endless, and their strength irresistible." He made an offer of himself for this service, demanding one hundred galleys, ten thousand foot, and a thousand horse. With this armament he proposed to present himself on the coast of Africa, and, from what further reinforcements or supplies he could derive from Carthage, to effect his descent upon Italy.

These councils, however, were given in vain. Hannibal, as a person likely to reap all the glory of every service in which he was to bear any part, had become

CHAP. VI. become an object of jealousy to the courtiers of Antiochus, and to the king himself. Whatever advice he gave being received with more aversion than respect, only served to determine the king against every measure he proposed. "Such a monarch," it was said by his flatterers, "cannot be under the necessity to employ foreign aid or direction:—his own force is sufficient to overcome the Romans in any part of the world:—the recovery of Greece must be the first object of his arms:—he himself is a Greek, and the people of his country, whenever his galleys appear, will crowd on the shores to receive him:—the Etolians are already in arms for this purpose:—Nabis is impatient to recover the possessions of which he has been stripped by the Romans:—Philip must eagerly fly to the standard which is set up against Rome, and embrace every opportunity to revenge the indignities which have been lately put upon himself and his kingdom."

U. C. 562. Elate with these expectations, Antiochus set sail for Europe with ten thousand foot, some elephants, and a body of horse. He was received at Demetrias with acclamations of joy; but he soon after discovered, that the invitations he had received from the people of that country, proceeded from a desire to shift the burden of the war from themselves upon him, and instead of supporting him in his claims of ambition, were likely to make

make him the tool of intentions, equally hostile to his own pretensions as to those of the Romans.

The Etolians, at whose instance Antiochus had come into Greece, were still divided. One party among them contended for peace, and alleged that the presence of the king of Syria was a fortunate circumstance, only as it gave them an opportunity to negotiate with greater advantage. Another party contended for immediate war; insisting that force alone could obtain any equitable terms from such a party as that they had to contend with.

Flamininus being present in the assembly of Etolia whilst the resolution for peace or war with the Romans was under debate, observed to the party who contended for war, that, before they proceeded to this extremity, they ought to have made their representations at Rome, and to have waited for an answer from thence. "*We shall make our representations, and demand our answer,*" said a principal person in the assembly, still thinking of a descent upon Italy to be effected by Hannibal, "*perhaps where we are least expected, on the banks of the Tiber*."

The resolution for war with the Romans was accordingly taken in this assembly, and Antiochus was declared head of a confederacy to be formed for mutual support in the conduct of it. This prince endeavoured to obtain a declaration to the same effect from the Achæans and Beotians; but being disappointed in his application to those States,

CHAP. VI. States, he left part of his forces at Demetrias, and he himself, as if he had come to act merely on the defensive, having negotiated his admission at Chalcis on the straits of Eubœa, retired behind the Euripus, and established his court at that place for the winter.

Mean time the Romans prepared themselves as for a struggle of great difficulty, and probably of long duration¹. They considered the abilities of Hannibal, employed to conduct the forces of Asia, as a sufficient ground of alarm. Their first object was to guard Italy and their other possessions. An army of observation was for this purpose stationed at Tarentum. A numerous fleet was ordered to protect the coast. The Prætors and other officers of State, with proper forces under their command, had charge of the different districts of Italy that were suspected of inclining to the enemy, or of being disaffected to the commonwealth. The instructions given to these officers were, to observe what was passing in the several quarters to which they were sent, but to avoid every occasion of animosity or tumult that might open a way for the admission of an enemy, or shew an invader where he might expect co-operation in the quarter to which he should direct his attack.

Having made these dispositions for their own security, they proceeded to form an army which was to act offensively, and remove the scene of the war to a distance. Bæbius, a Prætor of the preceding year,

¹ Appian Syriaca. p. 95.

year, under pretence of opposing Nabis, who had renewed the war in the Peloponnesus, had already passed into Epirus with a considerable force. Acilius Glabrio, one of the Consuls of the present year, to whose lot this province had fallen, was understood to have in charge the farther preparations that were making for the invasion of Greece, and hastened the assembling of an army and fleet sufficient to prevent or disconcert the measures of the parties that were supposed to be forming in that country against the Romans.

The usual tithes of corn were ordered from Sardinia, and double tithes from Sicily, to supply the army in Epirus. Commissaries likewise were sent to Carthage and Numidia, in order to purchase supplies from thence. And with such a sense of its importance did the Romans enter on this war, that the Consul Cornelius issued an edict, prohibiting all Senators, and all those who were entitled to be admitted into the Senate, to absent themselves from Rome above one day at a time, and requiring that no more than five Senators should on the same day be absent from the city.

Meantime the equipment of the fleet was retarded by a dispute which arose with eight of the maritime colonies or sea-ports, who pretended to a right of exemption from the present service. But their plea, upon an appeal to the Tribunes, and a reference from them to the Senate, was over-ruled.

Antiochus passed the winter at Chalcis in a manner too common with princes of a mean capacity, who

CHAP. who put every matter of personal caprice on the
 VI. same foot with affairs of State. Being enamoured of a Grecian beauty, he employed the attention of his court on feasts and processions, devised for her entertainment, and to enhance his pleasures. His reputation accordingly declined, and his forces made no progress either in numbers or discipline.

In the spring he lost some time in forming confederacies with petty States, which are ever under the necessity of declaring themselves for the prevailing power, and who change their side with the reverses of fortune. Having traversed the country from Beotia to Acarnania, negotiating treaties with such allies as these, he had passed into Thessaly, and had besieged Larissa, when the Roman Prætor began to advance from Epirus.

After the contending parties had thus taken the field, and the armies of Rome and of Syria were about to decide the superiority on the frontiers of Macedonia, Philip seemed to remain in suspense, having yet made no open declaration to which side he inclined. He had smarted under the arms of the Romans, and had reason to dread those of Antiochus.

The princes who divided the Macedonian empire were not only rivals in power, they were in some degree mutual pretenders to the thrones which they severally occupied; Philip, probably considering Antiochus, in this quality, as the principal object of his jealousy, took his resolution to declare for the Romans; and having accordingly joined the Prætor on the confines of Thessaly, their
 vanguard

vanguard advanced to observe the position and motions of the enemy. CHAP.
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Antiochus, upon the junction of these forces, thought proper to raise the siege of Larissa; and from this time forward seemed to have dropped all his sanguine expectations of conquest in Europe, was contented to act on the defensive; and when the Roman Consul arrived in Epirus, and directed his march towards Thessaly, this king took his post at the Straits of Thermopylæ, intending merely to shut up this passage into Greece: but being dislodged from thence, his army was routed, the greater part of it perished in the flight, and he himself, with no more than five hundred men, escaped to Chalcis, his former retreat in Eubœa, from whence he soon after set sail for Asia.

Upon the flight of Antiochus, the Etolians alone remained in the predicament of open enemies to the Romans. They were yet extremely irresolute and distracted in their councils. After having brought the king of Syria into Europe, they had not supported him with a sufficient force; and now, upon his departure, being sensible of their danger from a powerful enemy whom they had greatly provoked, they endeavoured to persuade him to return; representing how much he was concerned to furnish the arrogant councils of Rome with a sufficient occupation in Greece, to prevent their forces from passing into Asia. Those states at the same time, in case their representations in Asia should fail of success, made of-

CHAP. VI. fers of pacification and of submission to the Romans; but here they were received in a manner, which gave them no hopes of being able to palliate the offence they had given. The Consul advanced into their country, laid siege to Naupactus, and having reduced that place and the whole nation to great distress, agreed to a cessation of arms, only while they sent deputies to Rome to implore forgiveness and to make their peace with the Senate. Such was the posture of affairs when Lucius Cornelius Scipio, being elected one of the Consuls for the ensuing year, was destined to succeed Acilius Glabrio in Etolia; and, with his brother Publius, the victor in the battle of Zama, who was to act as second in command, had orders to prosecute the war against the kingdom of Syria.

These leaders being arrived in Greece, and intent on the removal of the war into Asia, willingly accepted the submission of all the towns that had incurred any suspicion during the stay of Antiochus in Europe; and, leaving the difference which remained to be settled with the Etolians in a state of negociation, they proceeded without delay, by the route of Macedonia and Thrace, towards the Hellespont.

In passing through these countries, they were conducted and furnished with all the necessary supplies of provisions and carriages by the orders of Philip.

Meantime the fleets of Asia and Europe, during this march of the land-forces, were contending for

for the command of the seas. The Roman navy CHAP.
VI. had been reinforced by the Rhodians, and even by the Carthaginians, who, to vindicate themselves from any blame in the present war, had taken part with their rival. This combined fleet, after various encounters, overcame their antagonists in a decisive battle, which made them entire masters of the sea, and opened all the ports of Asia to the shipping of the Romans.

The king of Syria had fortified Sestos and Abydos on the Hellespont, and Lyfimachia on the isthmus of Chersonesus, with an apparent resolution to dispute the march and passage of the Scipios at all these different stations. But on the total defeat of his navy, he either considered those places as lost, or, fearing to have his forces separately cut off in attempting to defend stations so remote, he withdrew his garrisons from Lyfimachia, Sestos, and Abydos; and while he thus opened the way for his enemies to reach him, gave other signs of despondency, or of a disposition to sink under the weight of his adverse fortune, making overtures of peace, and offering to yield every point which he had formerly disputed in the war. In reply to these offers he was told, That he must do more; and, declining the risk, must submit to such terms as the Romans were entitled to expect from victory. He therefore continued to assemble his forces; prepared to stake his fortune on the decision of a battle; and having in vain endeavoured to make himself master of Pergamus, the capital

CHAP. VI. tal of Eumenes, he fell back on Thyatira, and from
 { VI. } thence proceeded to take post on the mountains of
 Sypylus, where he meant to contend for the empire
 of Asia.

In the mean time the Scipios had advanced to the Hellespont, and without any resistance passed the Strait. This was the first Roman army that ever set foot upon Asia; being met soon after by the deputies of Antiochus with those overtures of peace which have been mentioned, they sent an account to Rome of their arrival; and made a halt for some days.

This passage was considered by the Romans as an epoch of great renown; and the messenger who brought the accounts of it was received with processions and solemn rites. Supplications and prayers were offered up to the gods, that this first descent
 U. C. 562, of a Roman army in Asia might be prosperous for the commonwealth.

Publius Scipio, the famous antagonist of Hannibal, soon after his arrival in Asia, being taken ill; or, what may be supposed for the honour of his fraternal affection, being desirous not to rob his brother of any share in the glory which, against the present enemy, he perceived was to be easily won, he affected indisposition, and remained at a distance from the camp. Lucius, thus left alone to command the Roman army, advanced upon the king, attacked him in the post he had taken, and, in a decisive victory, dispersed the splendid forces of Asia, with all their apparatus of armed chariots, and of horses, and elephants, harnessed with gold.

The

The king himself having fled with a few attendants, passed through Sardis in the night, and continued his flight to Apamea in Pisidia, where he expected to be out of the reach of his pursuers.

Thyatira, Sardis, and Magnesia, soon after opened their gates to the Romans ; and the king, by a messenger from Apamea, again made haste to own himself vanquished, and to sue for peace.

The Romans, to display a moderation which they frequently affected in the midst of their victories, made no addition to the first conditions which prior to their present advantage they had prescribed on their arrival in Asia ; and a cessation of arms being granted, officers from Antiochus, and from all the other parties concerned in the approaching treaty, repaired to Rome, in order to receive the final decision of the Senate and People, on the future settlement of their affairs.

Eumenes, the king of Pergamus, on this occasion, attended in person, and, together with the republic of Rhodes, which had distinguished itself by its zeal and faithful service in the war, became the principal gainer in the treaty.

It was agreed by the Senate, that the preliminary articles already prescribed by the Consul should be confirmed :

That, according to these articles, Antiochus should resign all his pretensions in Europe ; and that in Asia he should contract the boundaries of his kingdom within the mountains of Taurus :

CHAP. VI. That he should pay to the Romans, at successive terms, five thousand talents, to reimburse the expence of the war :

To Eumenes four hundred talents, on the score of a debt which had been due to his father.

And, for the performance of these conditions, should give twenty hostages, such as the Romans should name.

In the farther execution of this treaty, the Romans again appeared to be solicitous only for the interest of their allies, and required no more than indemnification for themselves. They appointed ten commissioners to repair into Asia, and there to determine the several questions that might arise relating to the settlement of that country. In the mean time they published to all parties the following instructions, as the basis on which the commissioners were to proceed :

That the preliminaries of the peace already offered to Antiochus should be ratified :

That all the provinces which he was to evacuate, except Caria and Lycia, should be assigned to Eumenes :

That the provinces, thus excepted, being bounded by the Meander on the east, should be ceded to the republic of Rhodes :

That all the Greek cities which had been tributary to Eumenes should continue so, and all which had been tributary to Antiochus should be set free :

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A distribution and settlement was accordingly soon after completed in Asia in these terms; and the Romans, while they were hastening to universal dominion, appeared to have no object beyond the prosperity of their allies: they were merciful to the vanquished, and formidable only to those who presumed to resist their arms. In the midst of their conquests, they reserved nothing to themselves besides the power of giving away entire kingdoms and provinces; or, in other words, they reserved nothing but the power of seizing the whole at a proper time, and, for the present, assumed no more than the supreme ascendant over all the conquered provinces that were given away, and over those states or princes to whom they were given.

The Etolians were now the only parties in Greece who pretended to hold their liberties, or their possessions, by any other tenure than that of a grant from the Romans.

During the continuance of the war in Asia, these confederates made efforts to recover their own losses, as well as to preserve the city of Ambracia, then besieged by the Romans; but, upon the defeat of Antiochus, the Ambraciots surrendered at discretion, and the Etolians sued for peace.

Ambracia had been the capital of Pyrrhus, and now furnished the captor with a plentiful spoil of statues, pictures, and other ornaments to adorn his triumph. The Etolians, at the intercession of the

CHAP. Athenians, were allowed to hope for peace on the
 VI. following terms ¹ :

That they should not allow to pass through their country the troops of any nation at war with the Romans :

That they should consider the allies of Rome as their allies, and the enemies of Rome as their enemies :

That they should make instant payment of two hundred talents in silver, according to the standard of Athens ; and of three hundred talents more at separate instalments within six years :

That if they chose to make these payments in gold rather than silver, the proportion should be one of gold to ten of silver ; and that they should give hostages for the performance of these several articles ².

While the Etolians were on these terms concluding a peace, or rather obtaining a pardon, the Consul Manlius, who had succeeded the Scipios in Asia, willing, if possible, to bring back into Italy, together with the victorious legions, to the command of which he succeeded, some pretence of a triumph for himself, led his army against the Galatians. These were the descendants of a barbarous horde, which had, some ages before, migrated from the interior of Europe, visited Italy and Greece in their way, and stopped on the Halys in the lesser Asia, where they made a settlement, round which they levied contributions quite to the shores
 of

¹ Polyb. *Excerptæ Legationes*, c. 28.

² *Ibid.*

of the Euxine, the Mediterranean, and Egean Seas. Their forces had lately made a part in the army of Antiochus, and they had not yet acceded to the peace which that prince had accepted. Upon these grounds, the Roman Consul was furnished with a pretence for invading their country; and the inhabitants being unable to resist him, surrendered at discretion. In thus extinguishing the remains of every hostile combination, the Romans took care to satisfy the world that it was unsafe to take part against them in any confederacy; and that, while they themselves never abandoned an ally, they were in condition to compel the states, with whom they were at war, frequently to abandon those by whom they had themselves been supported.

Thus ended the first expedition of the Romans into Asia; in the result of which, without seeming to enlarge their own dominions, they had greatly reduced the powers both of the Syrian and Macedonian monarchies; and by restoring, whether from inclination or policy, every State to its independence, they had balanced a multitude of parties against one another, in such a manner, as that no formidable combination was likely to be formed against themselves; or if any one, or a few parties, should presume to withstand their power, many others were ready to join in the cry of ingratitude, and to treat any opposition that was made to the pretensions of Rome as an unworthy return to those who had so generously espoused the cause of mankind.

The

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VI.

The pacification of Asia and Greece left the republic at leisure to manage its ordinary quarrels with nations unsubdued on the opposite frontier. In the West, hostilities had subsisted without interruption, during the whole time that the State was intent on its wars in the East; and triumphal processions were exhibited by turns from those opposite quarters.

In Spain the commanders were, for the most part, annually relieved, and the army annually recruited from Italy. But the variety of events which are mentioned, and the continuance of the war itself, are sufficient to evince that no decisive victories had been obtained, or conquests finally made. On the coast of Spain there were many Greek or African settlements established for commerce. Of these the Romans, either as having supplanted the Carthaginians, to whom those settlements belonged, or as having subdued the natives, were still in possession. But the interior parts of the country were occupied by many hordes, who appear to have been collected in townships and fortified stations, from which they assembled to oppose the Roman armies in the field, or in which they defended themselves with obstinate valour. Though often defeated, they still renewed the contest. Tiberius Sempronius Gracchus, in the year of Rome five hundred and seventy-four, about ten years after the peace with Antiochus, is said to have received the submission of one hundred and three towns of Spain'. The troubles

of

' Liv. lib. xl. c. 50. et passim.

of that country were, nevertheless, renewed under his successors, and continued to occupy the Roman arms with a repetition of similar operations, and a like variety of events. CHAP.
VI.

The war in Liguria was nearly of the same description with that in Spain; continued still to occupy a certain part of the Roman force; and, both before and after the late expeditions to Greece and Asia, was for some years the principal employment of both the Consuls. Here, however, the Romans made a more sensible progress towards an entire conquest than they made in Spain. They facilitated their access to the country by highways across the mountains; they reduced the numbers of the enemy by the sword and by the ordinary distresses of war; and, after the experience of many pretended submissions and repeated revolts of that people, who seemed to derive the ferocity of their spirit, as well as the security of their possession, from the rugged and inaccessible nature of their country, it was determined to transplant the natives to some of the more accessible parts of Italy, where the lands, being waste from the effect of former wars, were still unoccupied, and at the disposal of the republic¹.

¹ Liv. lib. xl. c. 38.

State of Italy.—Character of the Roman Policy.—Death of Scipio and of Hannibal.—Indulgence of the Romans to the King of Macedonia.—Complaints against Philip.—Succession of Perseus, and Origin of the War.—Action on the Peneus.—Overtures of Peace.—Progress of the War.—Defeat of Perseus at Pidna, by Paulus Emilius.—His Flight and Captivity.—Settlement of Macedonia and Illyricum.—Manners of the Romans.

BY the methods above related the Romans proceeded to extend their dominion over all the districts around them, and either brought to their own standard, or disarmed, the several nations who had hitherto resisted their power. While they were about to accomplish this end, the Transalpine Gauls, still having their views directed to the southward of the mountains, made some attempts at migration into Italy, in one of which they settled a party of their people at Aquileia. The Romans were alarmed, and ordered these strangers to be dislodged, and reconducted across the Alps.

This circumstance suggested the design of securing the frontier on that side by a colony; and for this purpose a body of Latins was accordingly sent to Aquileia, a settlement which nearly completed the Roman establishments within the Alps. The country was now, in a great measure, occupied by colonies of Roman and Latin extraction, who,

who, depending on Rome for protection, served, CHAP.
VII. wherever they were settled, to carry the deepest impressions of her authority, and to keep the natives in a state of subjection to her government.

The domestic policy of the State, during this period, appears to have been orderly and wise beyond that of any other time. The distinction of Patrician and Plebeian was become altogether nominal. The descendants of those who had filled the higher offices of state, whether Patrician or Plebeian, composed an order of nobles, of whom individuals, by way of a title or distinction, were named with the addition of Father and Grandfather, if so many of the race had been vested with public honours. And as the Plebeians were not debarred from the highest preferments, they were continually opening the way of their families to this rank of nobility. "Thus I," said Decius Mus, while he pleaded to have the priesthood¹; joined to the other honours which the different orders of the People enjoyed in common, "can cite my father in the rank of Consul; and my son can cite both his grandfather and me²." The Plebeians were entitled by law to claim one of the Consul's seats, and frequently occupied both.

The authority of the Senate, the dignity of the Equestrian Order, and the manners of the People, in general, were preserved in part by the salutary effects of adversity, and by the integrity and strict exercise of the Censorial power. The wisest and
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¹ 2 VM. Chap. 3.

² Liv. Ub. x. c. 8.

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the most respected of the citizens, from every condition, were raised into office ; and the assemblies, whether of the Senate, or the People, with an uncommon superiority to envy, or jealousy, for the most part suffered themselves to be governed by the counsels of a few able and virtuous men. It is impossible otherwise to account for that splendour with which the affairs of this republic, from the time of the first Punic war to that of the last struggle with Macedonia and Carthage, though committed to hands that were continually changing, were, nevertheless, uniformly and ably conducted.

About this time, and nearly within a year of each other, died two eminent men. Hannibal and his rival Publius Scipio, both under some cloud of ingratitude from the countries they had so signally served.

Hannibal alone, it seems, an object of jealousy to nations, had been the subject of an article in the treaty of peace with Antiochus ; and to avoid being delivered up to the Romans, in terms of that treaty, had retired first into Crete, and afterwards to the court of Prusias, king of Bythinia, whither he was still pursued by the enmity of Rome. Knowing that an embassy was come to demand him, and observing that the avenues to his dwelling were beset, he took poison, and died.

Scipio having been invidiously accused, after his return from Asia, of having secreted part of the treasure taken from Antiochus, and bearing too high a spirit even to vindicate himself from such a calumny,

calumny, called upon the people who were assembled on the occasion to go with him to the temple of Jupiter, that day being the anniversary of his victory at Zama, and to offer thanks to the god for that signal event. The audience accordingly broke up, and he was attended to the temple. But the same charge being again repeated, he called for the record which bore all the sums received from Antiochus; and, while the people expected to hear his defence, tore the scroll in their presence; and taking benefit of the Valerian law, withdrew from Rome to a village near Cumæ, where he died in a species of exile. The inscription on his tomb is said to have borne an allusion to this species of quarrel with his country; and a word of this inscription, found on the fragment of a stone broke off from his monument, has given its modern name to the supposed place of his retirement and death.

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Ingrata patria non habebis ossa, are the words said by Valerius Maximus (lib. v. c. 3.) to have been by his own order inscribed on his tomb; and the word *patria*, found on the fragment of a stone, has given its name to the place which is called *Torre de Patria*. But we must be allowed to regret, that the memory of Scipio should be marked with so peevish a strain. Hannibal had been more ungenerously used by his country; but report, at least, in being silent of his complaints, is more favourable to his memory. It is the part of such men to do what others cannot perform, and that of the vulgar and malicious to detract from their merits. Monsieur A. Evremond has been pleased to observe, that Scipio was the first among the Romans who possessed the amiable virtues of a great man: He should have said, perhaps, whose character bore the stamp of personal elevation and honour. Other Romans were proud of their country; but this was perhaps the first Roman who thought, not without reason, that his country should be proud of him, and who accordingly bore the freedom of being questioned as a criminal by his fellow citizens, with impatience and disdain.

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The Romans had been so well satisfied with the part which was taken by Philip in the late war with Antiochus, that they released his son Demetrius, then at Rome, an hostage for payment of the father's tribute, of which they likewise remitted a part. They even connived at his recovering some of the former possessions of his crown, and made no inquiry into the numbers of his troops, in which he greatly exceeded the establishment prescribed by the last treaty. They continued in this disposition during four years after the late peace with the king of Syria; and, in this interval, permitted the kingdom of Macedonia, by the improvement of its revenue, and the increase of its people, in a great measure to recover its former consideration and strength.

These circumstances of prosperity, however, did not fail to excite apprehension in the minds of all those who, holding independent possessions in that neighbourhood, were exposed to be the first victims of this reviving power, if left unsupported to contend with it; and representations, to awaken the attention of the Romans on this subject, were accordingly made at Rome, from Eumenes, the king of Pergamus, and from all the petty princes and small communities on the frontier of Macedonia.

On receiving these admonitions, the Senate, in their usual form, sent to the country from whence they were alarmed a select number of their members to make inquiry into the real state of affairs.

Before

Before a tribunal thus constituted, the king of Macedonia was cited to appear as a private party, CHAP.
VII. first at Tempe, to answer the charge of the Thessalians, and afterwards at Theffalonica, to answer that of Eumenes. After a discussion, sufficiently humbling to a sovereign, this monarch received sentence, by which he was required to evacuate all the places he had occupied beyond the ancient limits of his kingdom. This award he received with indignation, which he could not suppress, and which rendered him from thenceforward an object of continual attention and of jealousy to the Romans.

A second commission was granted to see the sentence of the first carried into execution; and as soon as it became publicly known, that the Romans were willing to receive complaints against Philip, and were disposed to protect every person who incurred his displeasure, ambassadors from the princes of Asia, and persons of every condition, from all the cities of Greece, and from all the districts in the neighbourhood of Macedonia, resorted to Rome with complaints against the king, some of a private, and others of a public nature. The city was crowded with strangers, and the Senate was occupied from morning to night, in hearing the representations that were made by their allies on the subject of the usurpations and oppressions they had suffered from this devoted prince.

Philip, to avert the storm, had sent his younger son, Demetrius, to answer the several charges

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which were expected to be brought against him ; and, in the end, obtained a resolution of the Senate to accommodate matters on an amicable footing. This resolution was ostensibly grounded on a pretence of the favour which the Romans bore to Demetrius, who had so long resided as an hostage in their city. " The king will please to know," they said, " that he has done one thing extremely agreeable to the Romans, in trusting his cause to an advocate so well established in their esteem and regard ¹."

This language of the Roman Senate respecting Demetrius, together with dangerous suggestions perhaps from persons inclined to mislead him, possibly inspired the young man with thoughts, and certainly rendered him suspected of designs, injurious to the rights of Perseus, his elder brother. This prince accordingly took the alarm, and never ceased to excite the suspicions already formed in the breast of the father, until he prevailed at last in securing his own succession by the death of his younger brother ².

Philip, having ordered the murder of one son to gratify the jealousy of the other, lived about three years after this action, suffering part of the punishment that was due to it, in the most gloomy apprehensions of danger from the son that survived, and died in the greatest solicitude for the fate of his kingdom.

Perseus, nevertheless, in ascending the throne of Macedonia,

¹ Polyb. Excerpt. Legat. c. 46. Liv. lib. xxxix. 46—47.

² Liv. lib. xl. c. 24.

Macedonia, gave hopes of a better and happier CHAP. reign than that of his predecessor had been. He VII. was immediately acknowledged by the Romans ; and, during a few years after his accession, appeared to have no cause of disquietude from this people. Although he had adopted the measures of his father, and endeavoured, by attention to his revenue, his army, and his magazines ; and by forming alliances with some of the warlike Thracian hordes in his neighbourhood, to put his kingdom in a posture of defence, and in condition to assert its independence ; yet he appears to have excited less jealousy than his father had done in the minds of his neighbours. The progress which he made seems to have escaped the attention even of the Romans ; until, at last awakened by the report of a secret correspondence which he carried on with the republic of Carthage, they thought proper to send a deputation into Macedonia, in order to observe his motions.

By the deputies employed in this service, the Romans obtained intelligence, that Perseus had made advances to the Achæans as well as to the Carthaginians, and to other states ; and was likely to form a powerful party among the Greeks.

From this time forward the leaders of the public councils at Rome seemed to have taken a resolution to rid themselves of this object or cause of their jealousy, by suppressing entirely the Macedonian monarchy. In their way to the execution of this design, they renewed their attention to the

CHAP. VII. state of parties in Greece, and endeavoured to reconcile all the differences that might incline any of those republics to oppose them. They encouraged Eumenes the king of Pergamus, who afterwards appears to have repented of the part which he took in this matter, to state his complaints. They brought him to Rome in person, and cited him before the Senate, to give a complete detail of the circumstances that were alarming in the policy of his neighbour. This prince having been thus brought forward as a formal accuser of Perseus, and being to return through Greece, in order to offer his devotions at the temple of Delphi, was assaulted and wounded by a party who meant to assassinate him; and this design, with some other acts of violence, being imputed to the king of Macedonia, served as a pretence for the war which followed.

The Roman Senate had already granted two separate commissions, the one of a deputation to visit Macedonia, and to observe the motions of the king; the other of an embassy into Egypt, to confirm their alliance with Ptolomy. On hearing of the attempt that had been made to assassinate Eumenes, they directed one of the Prætors, Caius Sicinius, with a proper force, to pass into Epirus; and, in order to secure their access into that country, to take possession of Apollonia, and other towns on the coast. But a misunderstanding then subsisting between the two Consuls, and other principal men of the Senate, caused some obstruction

tion to the farther immediate prosecution of the war. CHAP.
VII.

Perseus, in the mean time, alarmed by the arrival of a Roman force in his neighbourhood, sent an embassy to Rome with expostulations on the subject, and with offers, by every reasonable concession that the Senate or the People could require, to avert the storm with which he was threatened: But the Romans, affecting resentment of the injuries they pretended to have received, ordered his ambassadors, without delay, to depart from Italy; and gave intimation, that, if for the future he should have any proposal to make, he might address himself to the commander of the Roman army in Epirus.

The interview, which soon after took place with the Roman commissioners, terminated with the most evident signs of hostility on both sides¹. The king, on his own part, having taken minutes of what passed at their conference, sent copies to all the neighbouring states, in order to exculpate himself from any guilt in the approaching war; and as the event afterwards showed how much it was the interest of every nation to support him, he being the only power that could furnish protection against the usurpations they had so much reason to dread; so numbers, already moved by this apprehension, were inclined to favour his cause. The Rhodians, then a formidable naval power, though restrained by fear from an open breach

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¹ Liv. lib. lxii. c. 25.

CHAP. VII. with the Romans, yet gave sufficient evidence of this disposition. Eumenes likewise, though made a principal instrument in fomenting the present quarrel, soon became averse to its consequences. The Beotians and Epirots, as well as the Illyrians, openly espoused the cause of Macedonia¹.

These circumstances were stated at Rome as additional grounds of complaint against the king; and his endeavours to vindicate the part he had acted, were considered as attempts to form a hostile confederacy against the republic.

Some ships with land-forces were accordingly assembled, and directed towards Epirus; and a declaration of war was issued, in the usual form of an act or resolution of the Roman people.

The Romans had now, during about twenty-five years, borne a principal part among the nations who surrounded the Mediterranean sea. The ascendant they had gained in all their wars or treaties, had made them common objects of fear or respect to all the contiguous powers of Europe, Asia, and Africa. The Macedonians, however, as the latest conquerors of the world, still retained a very high reputation for military skill and valour. The events of the late war rather surprised mankind, than convinced them of any decided superiority on the part of the Romans. The novelty of a new enemy, the mistakes or misconduct of the late king, might have accounted for his ill success. The kingdom had now been above twenty

¹ Polyb. *Excerptæ Legationes*, c.64.—67.

ty years exempted from any signal calamity, had re-established its armies, and filled its magazines and its coffers. The military establishment amounted to forty thousand men; the greater part formed and disciplined upon the plan of the phalanx, and supported with numerous troops of irregulars from the warlike cantons of Thrace. The king himself, in the vigour of manhood, sensible that the storm could not be diverted, affected rather to desire than to decline the contest; and, under all these circumstances, nations seemingly least interested in the consequences, were intent on the scene that was about to be opened before them.

Eumenes, still supposed to be incited by recent provocations, as well as inveterate animosity to Perseus, prepared to fulfil his professions in behalf of the Romans.

Ariarathes, the king of Cappadocia, having recently formed an alliance by marriage with the family of Perseus, though otherwise inclined by his political interest to counteract the Macedonian power, determined to be neutral in the war.

Ptolomy Philomater, who then filled the throne of Egypt, was a minor. Antiochus Epiphanes, who had lately succeeded his brother Seleucus, in the kingdom of Syria, having been some time an hostage at Rome, affected in his own court the manners of a Roman demagogue; but was chiefly intent on his pretensions to Cælesyria, which he hoped to make good under favour of the approaching conjuncture formed by the minority of Pto-

CHAP. my, and by the avocation of the Roman forces in
 VII. Greece.

The Carthaginians, and the king of Numidia, while they severally preferred their complaints against each other before the Senate of Rome, vied likewise in their professions of zeal for the Roman republic, and in their offers of supply of men, horses, provisions, or ships.

Gentius, the king of Illyricum, had incurred the jealousy of the Romans; but remained undetermined what part he should take.

Cotys, a Thracian king, declared openly for Perseus. The people of Greece, in their several republics, were divided among themselves. The democratic and aristocratical parties took opposite sides; the first being willing to exterminate the nobles, by any means generally favoured the king of Macedonia. The others were either inclined to the Romans, or wished to balance the rival powers, so as to have for the future, in the protection of the one, some security against the encroachments of the other¹.

The Romans had committed an error by sending into Epirus, a force so small, as the king of Macedonia might have cut off before it could be properly supported from Italy; but their commissioners, then in that country, had the address to amuse the king with a negociation, and to divert him, during the first year of the war, from any attempt on Apollonia, or on any other station at which this division of their forces was lodged.

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¹ Liv. lib. xlii. c. 29.—30.

In the following summer, about seven years after the accession of Perseus to the throne of Macedonia, the project which had been formed at Rome for the reduction of that kingdom being committed to the Consul Licinius, this officer with his levies followed the troops which had been transported to the coast of Epirus; and while the fleet of the Romans, with that of their allies, assembled in the straits of Eubœa, the armies on both sides began their operations. The Macedonians encamped at Sycurium, on the declivity of mount Ossa. The Roman Consul penetrated into Thessaly; and, having passed the river Penæus, took post at Scea, twelve miles from the camp of the enemy. Here he was joined by Attalus, brother to the king of Pergamus, with four thousand men, and by smaller bodies collected from different states of Greece.

Perseus endeavoured to lay waste the kingdom of Pheræ, from which the Romans drew the greatest part of their subsistence; and an action ensued, in which the whole cavalry and light infantry of both armies being engaged, the Romans were defeated; and the Consul, no longer able to support his foraging parties on that side of the Penæus against a superior enemy, decamped in the night, and repassed the river.

Although this victory had a tendency to raise the hopes of the king, it was by him wisely considered as a fit opportunity to renew the overtures of peace; and, in order to bring on a negociation, it was resolved, that the conditions which, under
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CHAP. the misfortune of repeated defeats, had been offer-
 VII. ed by his father, should be made the preliminaries of the present treaty.

It appeared to Perseus, and to those with whom he consulted, that, in the sequel of a victory, this would appear an act of moderation, not of fear; that all neutral powers, who dreaded the consequences of a decided superiority on either side, would favour the person who should propose to have peace re-established on moderate terms; and that the Romans, being induced to terminate the war under the effects of a defeat, would from thenceforward respect the Macedonian monarchy, or be cautious how they disturbed its tranquillity.

But if in this manner the opportunity was perceived, and wisely laid hold of by the councils of Perseus, it by no means escaped the Roman council of war, which was assembled to receive the proposals of the king.

The Romans, whether from national spirit or policy, at all times declined entering on negotiations or treaties in consequence of defeats. They spurned the advances of a victorious enemy, while they received those of the vanquished with condescension and mildness. They accordingly, in the present case, treated the concessions of Perseus with disdain, haughtily answering, that he must submit at discretion *.

This reply was received at the court of Perseus with

* In adversis vultum secundæ fortunæ gerere, moderari animos in secundis.
 Liv. lib. xlii. c. 62.

with extreme surprise. But it produced still farther concessions ; and instead of resentment from the king, a repetition of his message, with an offer to augment the tribute which had been paid by his father¹. CHAP.
VII.

The remainder of the summer having passed in the operations of foraging parties, without any considerable action, the Romans retired for the winter into Beotia. On this coast the fleet, not having met with an enemy at sea, had made repeated descents to distress the inhabitants who had declared for the king of Macedonia, and the Consul took possession of his quarters, without any resistance, in the interior parts of the country. In this, with the progress that was made by the army employed on the side of Illyricum in detaching that nation from Perseus, consisted the service of the first campaign.

Licinius, at the expiration of the usual term, was relieved by his successor in office, A. Hostilius Marcius. This commander, being defeated and baffled in some attempts he made to penetrate into the kingdom of Macedonia, appears to have made a campaign still less fortunate than that of his predecessor ; and the Senate, at the end of the summer, having recalled him, in order that he might preside at the annual elections, sent a deputation in his absence to visit the army, and to inquire into the cause of their miscarriages, and the slowness of their progress.

The Romans, although they had experienced disappointments

¹ Polyb. Excerpt. Legat. c. 69.

CHAP.
VII.

disappointments in the beginning of other wars, particularly in their first encounters with Pyrrhus and with Hannibal; and had reason to expect a similar effect entering on the present contest appear to have been greatly mortified and surprised at this unpromising aspect of their affairs. They were engaged with an enemy renowned for discipline, who had made war a trade, and the use of arms a profession; while they themselves, it appears, for a considerable period both before and after the present war, even during the most rapid progress of their arms, had no military establishment besides that of their civil and political constitution, no soldiers besides their citizens, and no officers but the ordinary magistrates of the commonwealth.

If this establishment had its advantages¹, it may have appeared, on particular occasions, likewise to have had its defects. The citizen may have been too much a master in his civil capacity to subject himself fully to the bondage of a soldier; and too absolute in his capacity of military officer to bear with the control of political regulations. As the obligation to serve in the legions was general and without exception, many a citizen, at least in the case of any distant or unpromising service, would endeavour to shun his task. And the officer would not always dare to enforce a disagreeable duty on those by whom he himself was elected, or on whom he in part depended for farther advancement in the State.

At

¹ Vid. chap. iii.

At the beginning of this war, the legions were augmented from five thousand two hundred foot and two hundred horse, to six thousand foot and three hundred horse¹; and probably, to raise the political authority of the Consul more effectually into that of a military commander in chief, he was commissioned to name the Tribunes, as well as the Centurions of the army, which was to serve under his orders: but, upon a complaint that this extension of the Consul's powers did not, by enforcing the discipline of the army, serve the purpose for which it was made, the People resumed their right of election in the appointment even of inferior officers.

The deputies, now sent into Macedonia by the Senate, reported, that the legions employed in that country were extremely incomplete, numbers both of the lower officers and private men being, by the dangerous indulgence of their leaders, suffered to absent themselves from their colours². This abuse we may apprehend to have been frequent in a service that was to be performed by citizens who had the choice of their own commanders. And from speculative ideas on the subject, if we were not bound to be governed by experience as the preferable tutor, we should be apt to reject, as an improper mode of forming an army, that very establishment by which the Romans conquered the world.

It is probable, that not only the defect of subordination in the beginning of a war, but the defect

¹ Liv. lib. xliii. c. 12.

² Ibid. c. 11.

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VII.

fect of skill, also, in the use of their peculiar weapons, made, in the Roman armies, a great disparity between raw and veteran troops. The use of the buckler and sword required great skill, agility, and muscular strength; all of them the effect of exercise and of continual practice. In battles, while the strong and the skilful escaped, the weak and the awkward were likely to perish; and every action not only exercised the arms of those who survived, but made a selection likewise of the vigorous and skilful, to be reserved for future occasions. Hence the experience of the soldier who survived many actions tended to confirm his courage, because his escape was in a great measure the effect of his skill, or of his strength; and upon a return of similar dangers, gave him confidence in himself.

And hence probably, in the Roman armies, much more than in those of modern Europe, the practised soldier had a great superiority over the novice; and citizens, when brought into the field by rotation, had much to learn in the course of every campaign.

In the present contest, the checks of the first and the second year of the war, though extremely mortifying to the Romans, were received without any signs of irresolution, or change of their purpose. In the third year after the commencement of hostilities, the command of the army in Macedonia devolved on Q. Marcius Philippus, who, being chosen one of the Consuls, drew his province as usual by lot. This officer had been employed in one of the late deputations that were sent into Greece; had
shown

shown his ability in the course of negotiations which preceded the war; and now, by his conduct as a general, broke through the line with which the king of Macedonia had endeavoured to secure the passes of the mountains, and to cover the frontier of his kingdom. But, when he had penetrated into Macedonia, he found himself at the end of the season, and for want of proper supplies of provisions on that side of the mountains, unable any farther, in the present season, to pursue the advantage he had gained. Here, therefore, he staid only to deliver his army to Emilius Paullus, who had been named to succeed him. This was the son of that Paullus, who, being one of the Consuls, commanding the Roman army at Cannæ, threw away his life rather than survive the defeat. The son was now turned of sixty¹; and by the length of his service, and the variety of his experience in Liguria and Spain, was well acquainted with the chances of war.

Emilius Paullus, upon his election, in order that he might not be liable to answer for the faults of his predecessors, moved, that deputies should be sent into Macedonia to review the army, and to make a report of its state before he himself should enter upon the command. His speech to the Assembly of the People, when about to depart for his province, carries a striking allusion to the petulant freedom with which, it seems, unsuccessful commanders were censured, or traduced in the popular conversations at Rome, and carries a defiance with
which

¹ Plutarch. in Vit. Emil. p. 157.

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VII.

which he proposed to silence the blame that might afterwards be attempted against himself. "Let such as think themselves qualified to advise the general," he said, "now accompany me into Macedonia. They shall have a passage on board my ship; and, in the field, be welcome to a place in my tent and at my table; but if they now decline this offer, let them not afterwards pretend to judge of what they neither have seen nor understand. Let them not at a distance set up their own opinion against that of a fellow-citizen, who is on the spot, and serving the public to the utmost of his ability, and at the hazard of his honours and of his life."

Emilius, upon his arrival in Macedonia, found the king entrenched on the banks of the Enipeus, with his right and left covered by mountains, on which all the passes were secured. After some delay, during which he was employed in observing the enemy's position, or in improving the discipline of his own army, he sent a detachment to dispossess the Macedonians of one of the stations which they occupied on the heights, and with orders to the officer who commanded in this service, that, if he succeeded in it, he should descend to the plain in the rear of the enemy; whilst he himself, in the mean time, should make a feint to attack them in front.

The post on the heights being forced, Perseus relinquished his present position, and fell back towards Pydna on the banks of the Aliacmon. Here

it

it became necessary for him either to hazard a battle, or, on account of the nature of the country behind him, to separate his forces. CHAP.
VII.

He preferred the first, and made choice of a plain that was fit to receive the phalanx, while it was skirted with hills, on which his light troops could act with advantage.

Here too the Roman Consul continued to press upon him, and was inclined to seize the first opportunity of deciding the war. In this disposition, both armies, as by appointment, presented themselves on the plain in order of battle, and Emilius Paullus seemed eager to engage; but, as he himself used to confess, having never beheld an appearance so formidable as when the Macedonians levelled their spears, he thought proper to halt^r. Though much disconcerted, he endeavoured to preserve his countenance, and would not recede from his ground; that he might encamp his army where they now stood, he ordered the first line to remain under arms, and ready to attack the enemy, while those who were behind them began to intrench; having in this manner cast up a breast-work of considerable strength, he retired behind it, and under this cover completed the fortifications of a camp in the usual form.

In this position he waited for an opportunity to attack, when the enemy should be less prepared to receive him, or not have time to avail
VOL. I. U themselves

CHAP. themselves so much of that formidable order which
 VII. constituted the strength of their phalanx.

Before any such occasion offered, a skirmish took place in the fields between the two armies. A horse having broke loose from the camp of the Romans, fled towards that of the Macedonians, was followed by numbers of one side, and met by numbers on the other. These parties engaged, occasioned a general alarm, being supported from their respective camps, the conflict became serious, and both armies turned out in their respective orders of battle. The ground was favourable to the phalanx; and the Macedonians, though hastily formed, still possessed against the Romans the advantage of their weapons, and of their formidable column. They filled up the plain in front, and could not be flanked. They had only to maintain their ground, without any movement, in the time of action, to decompose their ranks, or hazard being broke by any change of position. They accordingly, while they preserved their line in front, withstood with ease the first shock of the Roman legions; but in the sequel, being disordered by the partial attacks which were made at intervals by the manipules, or the separate divisions of the Roman foot, they incurred the specific and only disadvantage to which they were exposed from such an enemy. The parts of the phalanx that were attacked, whether they were pressed in, or came forward to press on their enemy, could not keep in an exact line with the

the parts that were not attacked. Openings were accordingly made, at which the Roman soldier, with his buckler and short sword, could enter, and get within the point of his antagonist's spear. Emilius, observing this advantage, directed his attack chiefly on those places at which the front of the phalanx seemed to be disjointed or broken; and the legionary soldier, being mixed with the ranks of the column, in this condition made a havock which soon threw the whole into disorder and general rout¹.

CHAP.
VII.

Twenty thousand of the Macedonians were killed in the field, five thousand were made prisoners in their flight; and six thousand who shut themselves up in the town of Pydna were obliged to surrender at discretion².

After this defeat, the king of Macedonia, with a few attendants, fled to Pella, where, having taken up his children and the remains of his treasure, amounting to ten thousand talents, or about two millions Sterling³, he continued his flight to Amphipolis, and from thence to Samothracia, where he took refuge in the famous sanctuary of that island.

Emilius advanced to Amphipolis, receiving the submission of all the towns and districts as he passed. The Prætor, Octavius, then commanding the Roman fleet, beset the island of Samothracia with his ships; and, without violating the sanctuary,

U 2

took

¹ Plutarch in Vit. Emil. p. 173.

² Liv. lib. xlv. c. 42.

³ Justin. lib. xxxiii. c. 1.

CHAP. took measures which effectually prevented the
 VII. king's escape.

This unfortunate prince, with some of his children, delivered themselves up to the Prætor, and were conducted to the camp of Emilius. Here the king threw himself on the ground, and would have embraced the victor's knees, when the Roman general, with a condescension that is extolled by ancient historians, gave him his hand, and raised him from the ground; but reproached him as the aggressor in the late contest with the Romans; and with a lesson of morality, which tore up the wounds of the unfortunate monarch, bid the young men who were present look on this object as an example of the instability of fortune, and of the vicissitude of human affairs.

While the war in Macedonia was coming to this issue, that in Illyricum had a like termination, and ended about the same time in the captivity of the king.

News of both were received at Rome about the same time, and filled the temples, as usual, with multitudes who crowded to perform the public rites of thanksgiving that were ordered by the Senate. Soon after, embassies arrived from all the kings and states of the then known world, with addresses of congratulation on so great an event. The Senate proceeded to form a plan for the settlement of Macedonia.

It was resolved to extinguish the monarchy, to divide its territory into four districts, and in each

to establish a republican government, administered by councils and magistrates chosen by the People. CHAP. VII.
 This, among the Greeks, could pass for an establishment of absolute freedom a gift which these conquerors affected to have in reserve for every nation connected with Greece. Ten commissioners were named to carry this plan into execution in Macedonia, and five were appointed for a similar purpose in Illyricum. Emilius was continued in his command, and the army ordered to remain in Macedonia until this form of a free constitution should be enforced.

The commissioners, agreeably to their instructions, fixed the limits of the several districts, and, probably to perpetuate the separation of them, or to prevent any dangerous communication between their inhabitants, prohibited them to intermarry, or to hold any commerce, or transfer in the property of land, from one division to another.

To some other restrictions, which had more a tendency to weaken or to dismember this once powerful monarchy, than to confer freedom on the people, they joined an act of favour, in considerably diminishing their former burdens, reducing their tribute to one half of what they had usually paid to their own kings: and, to facilitate or to secure the reception of the republican form which was devised for them, they ordered all the ancient nobles, and all the retainers of the late court, as being irreconcilable with the supposed equality of citizens under a republic, to depart from the kingdom,

CHAP. dom, and to choose places of residence for them-
 VII. selves in Italy.

A like plan was followed with respect to Illyricum, which was divided into three districts; and the kings both of Macedonia and of this country, with many other captives, were conducted to Rome to adorn the triumph of their conquerors.

Perseus is said to have lived as a prisoner at Alba, about four years after he had been exhibited in this procession. Alexander, one of his sons, had an education calculated merely to secure his subsistence, by enabling him to act as a scribe or a clerk, a station in which he came to be actually employed in some of the public offices at Rome.

While the event of the Macedonian war was yet undecided, and no considerable advantage, either of conduct or fortune, appeared on the side of the Romans, they still preserved the usual arrogance of their manner, and interposed with the same imperious ascendant in the affairs of Greece, Asia, and Africa, that they could have done in consequence of the most decisive victory. It was at this time that, by the celebrated message of Popilius Lænas, they put a stop to the conquests of Antiochus Epiphanes in Egypt. This prince, trusting to the full employment of the Roman forces in Greece, had ventured to invade the kingdom of Ptolomy, and was in possession of every part of it, except the city of Alexandria. He was occupied in the siege of this place when Popilius arrived and delivered an injunction from the Senate

of

of Rome to desist. The king made answer, That he would consider of it. "Determine before you pass this line," said the Roman, tracing a circle with the rod which he held in his hand. This people, however, had occasion, during the dependence of the Macedonian war, to observe that few of their allies were willing to support them in the extremes to which they seemed to be inclined. The Epirots had actually declared for the king of Macedonia. The Rhodians had offered their mediation to negotiate a peace, and threatened hostility against either of the parties who should refuse to accept of it. Even Eumenes was suspected of having entered into a secret treaty with Perseus, although the fall of that prince prevented any open effects of their concert.

The Romans, nevertheless, disguised their resentment of these several provocations, until their principal enemy, the king of Macedonia, was subdued; but this end being obtained, they kept no measures, proceeding against his abettors with a severity which in those times was supposed to be permitted in the law of nations, and no more than proportioned to the offence which had been given. They gave orders to Emilius, in passing through Epirus, to lay that country under military execution. Seventy towns were accordingly destroyed, and an hundred and fifty thousand of the people sold for slaves.

The Senate refused to admit the ambassadors of Rhodes, who came to congratulate the Roman people on their victory at Pydna. They stripped

CHAP. those islanders of the provinces which had been
 VII: granted to them on the continent by the late treaty with Antiochus, and ordered them to discontinue some duties levied from ships in passing through their sound, which made a considerable part of their revenue.

While Eumenes was coming in person to pay his court to the Senate, they framed a resolution to forbid the concourse of kings at Rome. Their meaning, though expressed in general terms, was evidently levelled at this prince; and they ordered, that when he should arrive at Brundisium, this resolution should be made known, to prevent his nearer approach.

They in reality, from this time forward, though in the style of allies, well nigh dropped their former mask, and treated the Grecian republics as subjects.

Such was the rank which the Romans assumed among nations; while their statesmen still retained much of their primeval rusticity, and did not consider the distinctions of fortune and equipage as the appurtenances of power or command. Cato, though a citizen of the highest rank, and vested successively with the dignities of Consul and of Censor, used to partake in the labour of his own slaves, and to feed with them from the same dish at their meals¹. When he commanded the armies of the republic, the daily allowance of his household was no more than three medimni, or about as many bushels of wheat for his

¹ Plutarch in Vit. Catonis, p. 330.

his family, and half a medimnus, or half a bushel of barley for his horses. In making the rounds of his province he usually travelled on foot, attended by a single slave who carried his baggage ¹. CHAP.
VII.

These particulars are mentioned perhaps as characteristic of Cato; but such singularities in the manners of a person placed so high among the people, carry some general intimation of the fashion and practice of the times.

A spirit of equality yet reigned among the members of the commonwealth, which rejected the distinctions of fortune, and checked the admiration of private wealth. In all military donations the Centurion had no more than double the allowance of a private foldier, and no military rank was indelible. The Consul and Commander in Chief of one year served not only in the ranks, but even as a Tribune or inferior officer in the next; and the same person who had displayed the genius and ability of the general, still valued himself on the courage and force of a legionary foldier.

No one was raised above the glory to be reaped from the exertion of mere personal address and bodily strength. Men of the highest condition sent or accepted a defiance to fight in single combat, in presence of the armies to which they belonged. Marcus Servilius, a person of consular rank, in order to enhance the authority with which he spoke when he pleaded for the triumph of Paulus Emilius, informed the People that he himself,

¹ Plutarch in Vit. Catonis, p. 335. et 338.

CHAP.
VII

self, full three and twenty times, had fought singly with so many champions of the enemy, and that in each of these encounters he had slain and stripped his antagonist. A combat of the same kind was afterwards fought by the younger Scipio, when serving in Spain.

Now for the first time, according to Livy, the streets of Rome were paved with stone, and the highways laid with gravel¹.

The sumptuary laws of this age were suited to the idea of citizens who were determined to contribute their utmost to the grandeur of the State; but to forego the means of luxury or personal distinction. Roman ladies were restrained, except in religious processions, from the use of carriages any where within the city, or at the distance of less than a mile from its walls; and yet the space over which they were to preserve their communications extended to a circuit of fourteen miles, and began to be so much crowded with buildings or cottages, that, even before the reduction of Macedonia, it was become necessary to restrain private persons from encroaching on the streets, squares, and other spaces reserved for public convenience. In a place of this magnitude, and so stocked with inhabitants, the female sex was also forbid the use of variegated or party-coloured clothes, or of more than half an ounce of gold in the ornament of their persons. This law being repealed, contrary to the sentiments of Cato, this

citizen,

¹ Liv. lib. xli. c. 27.

citizen, when he came vested with the authority of Censor, to take account of the equipages, clothes, and jewels of the women, taxed each of them ten-fold for whatever was found in her wardrobe exceeding the value of one thousand five hundred denarii, or about fifty pounds Sterling ¹.

CHAP.
VII.

The attention of the legislature was carried into the detail of entertainments or feasts. In one act the number of the guests, and in a subsequent one the expence of their meals, was limited. By the Lex Tribonia, enacted about twenty years after the reduction of Macedonia, a citizen was allowed, on certain high festivals, to expend three hundred asses, or about twenty shillings Sterling; on other festivals of less note, one hundred asses, or about six shillings and eight pence; but during the remainder of the year, no more than ten asses, or about eight pence; and was not allowed to serve up more than one fowl, and this with a proviso that it should not be crammed or fatted ².

Superstition made a principal article in the character of the people. It subjected them continually to be occupied or alarmed with prodigies and ominous appearances, of which they endeavoured to avert the effects by rites and expiations, as strange and irrational as the presages on which they had grounded their fears. Great part of their time was accordingly taken up with processions and public shews, and much of their substance,
even

¹ Liv. lib. xxxiv. c. 1—6.

² Plin. lib. x. c. 50.

CHAP. even to the whole annual produce of their herds¹;
 VII.

was occasionally expended in sacrifices, or in the performance of public vows. The first officers of State, in their functions of priesthood, performed the part of the cook and the butcher; and, while the Senate was deliberating on questions of great moment, examined the entrails of a victim, in order to know what the gods had determined. "You must desist," said the Consul Cornelius, entering the Senate with a countenance pale and marked with astonishment; "I myself have visited the boiler, and the head of the liver is consumed²."

According to the opinions entertained in those times, forcery was a principal expedient employed by those who had secret designs on the life of their neighbour. It was supposed to make a part in the statutory crime of poisoning⁴; and the same imagination which admitted the charge of forcery as credible, was, in particular instances, when any person was accused, easily convinced of his guilt; insomuch that some thousands were at times convicted together of this imaginary crime³.

Either the manners of the people of Italy were at times subject to strange disorders, or the magistrate gave credit to wild and improbable reports. The story of the Bacchanals, dated in the year of Rome five hundred and sixty-six, or about twenty years before the conquest of Macedonia, may be

¹ The Ver Sacrum was a general sacrifice of all the young of their herds for a whole year.

² Liv. lib. xli. c. 15.

³ Liv. lib. xxxix. c. 41.

⁴ Veneficium.

be considered as an instance of one or of the other^r. A society, under the name of Bacchanals, had been instituted, with solemn engagements to secrecy, on the suggestion of a Greek pretender to divination. The desire of being admitted to partake in the wonders of this mysterious society prevailed throughout Italy, and the sect became extremely numerous. As they commonly met in the night, they were said at certain hours to extinguish their lights, and to indulge themselves in every practice of horror, rape, incest, and murder; crimes under which no sect or fraternity could possibly subsist, but which, in being imputed to numbers in this credulous age, gave occasion to a severe inquisition, and proved fatal to many persons at Rome, and throughout Italy.

The extreme superstition, however, of those times, in some of its effects, vied with genuine religion; and, by the regard it inspired, more especially for the obligation of oaths, became a principle of public order and of public duty, and in many instances superseded the use of penal or compulsory laws.

When the citizen swore that he would obey the call of the magistrate to enlist in the legions; when the soldier swore that he would not desert his colours, disobey his commander, or fly from his enemy; when a citizen, at the call of the Censor, reported on oath the amount of his effects; the State, in all those instances, with perfect confidence

^r Liv. lib. xxxix. c. 3. et sequen.

CHAP. dence relied on the good faith of her subjects, and
 VII. was not deceived.

In the period to which these observations refer, that is, in the sixth century of the Roman State, the first dawning of literature began to appear. It has been mentioned that a custom prevailed among the primitive Romans, as among other rude nations, at their feasts to sing or rehearse heroic ballads which recorded their own deeds or those of their ancestors¹. This practice had been some time discontinued, and the compositions themselves were lost. They were succeeded by pretended monuments of history equally falacious, the orations which, having been pronounced at funerals, were, like titles of honour, preserved in the archives of every noble house, but which were rather calculated to flatter the vanity of families, than to preserve the records of state².

The Romans owed the earliest compilations of their history to Greeks; and in their own first attempts to relate their story employed the language of that people³. Nævius and Ennius, who were the first that wrote in the Latin tongue, composed their relations in verse. Livius Andronicus, and afterwards Plautus and Terence, translated the Greek fable, and exhibited on the stage at Rome, not the Roman, but Grecian manners. The two last are said to have been persons of mean condition; the one to have subsisted by turning a baker's

¹ Cic. de Claris Oratoribus, c. 19.

² Ibid. p. 394.

³ Dion. Hal. lib. i. p. 5.

ker's mill, the other to have been a captive and a slave. Both of them had probably possessed the Greek tongue as a vulgar dialect, which was yet spoken in many parts of Italy, and from this circumstance, became acquainted with the elegant compositions of Philemon and Menander ^{CHAP. VII.} ¹.

Their comedies were acted in the streets, without any seats or benches for the reception of an audience. But a nation so little studious of ordinary conveniencies, and contented to borrow their literary models from neighbours, to whom, being mere imitators, they continued for ages inferior, were, however, in their political and military character, superior to all other nations whatever; and, at this date, had extended a dominion, which originally consisted of a poor village on the Tiber, to an empire and territory that is now scarcely equalled by any kingdom or state in the west of Europe. U. C. 586.

CHAP.

¹ The people of Cumæ, about this time, applied for leave to have their public acts, for the time, expressed in Latin.

C H A P. VIII.

State, Manners, and Policy of the Times continued.—Repeated Complaints from Carthage.—Hostile Disposition of the Romans.—Resolution to remove Carthage from the coast.—Measures taken for this purpose.—Carthage besieged.—Taken and destroyed.—Revolt of the Macedonians.—Their Kingdom reduced to the Form of a Roman Province.—Fate of the Achæan League.—Operations in Spain.—Conduct of Viriathus.—State of Numantia.—Blockade of Numantia.—Its Destruction.—Revolt of the Slaves in Sicily.—Legal Establishments and Manners of the City.

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VIII.

THE reduction of Macedonia was in many respects a remarkable epoch in the history of Rome. Before this date Roman citizens had been treated as subjects of their own government, and permitted themselves to be taxed. They were required at every census to make a return of their effects upon oath, and, besides other stated or occasional contributions to the public, paid a certain rate on the whole value of their property. But upon this event they assumed more entirely the character of sovereigns; and having a treasury replenished with the spoils of their new conquest, exempted themselves from their former burdens.

The accession of wealth, said to have put them in this condition, is variously reported. Livy quotes Valerius Antias as stating it at *millies du-*
centies,

centies, or about a million Sterling; Velleius Paterculus states it at double this sum, and Pliny at somewhat more¹. But the highest of these computations does not appear sufficient to produce the effect. It is more likely that the ordinary income of the treasury, consisting of the sums so frequently deposited at the triumphs of victorious leaders, the tributes received from Carthage and Syria, the rents of Campania, the tithes of Sicily and Sardinia, with the addition not of the spoils of Macedonia merely, but of the revenue constituted in that country, put the Romans at last in condition to exempt themselves from taxation; an effect which no definite sum could produce, if subject to the drain of continual expence, without the supply of a proportional revenue to replace it. The Roman treasury, when examined about ten years after this date, was found to contain, in bars of gold and silver, and in coin, not much more than half a million Sterling²: a sum surely which, without a proper and regular supply, must have been soon exhausted.

From the conclusion of the war with Perseus, the Romans, for twenty years, do not seem to have been engaged with any considerable enemy; and their numerous colonies, now dispersed over Italy, from Aquilea to Rhegium, probably made great advances, during this period, in trade, agriculture, and the other arts of peace. Among their public

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X

works

¹ Velleius, lib. i. c. 9. Plin. lib. xxxiii. c. 3.

² Plin. lib. xxxiii. c. 3. In gold 16,810 Æ. in silver 22,070 Æ. and in coin 620,854000 II. S. Arbuthnot of Ancient Coins.

CHAP.
VIII.

works are mentioned, not only temples and fortifications, particulars in which nations attain to magnificence even in rude ages, but likewise aqueducts, market-places, pavements, highways, and other conveniencies, the preludes or attendants of wealth and commerce.

Cato, in pleading against the repeated election of the same person into the office of Consul, exclaimed against the luxury of the times, and alleged, that so many citizens could not support their extravagance by any other means than that of draining the provinces, on occasion of their repeated appointments to command. "Observe," he said, "their villas how curiously built, how richly furnished with ivory and precious wood. Their very floors are coloured or stained in the Punic fashion¹."

Lex
Annalis.

Laws had been formerly provided to fix the age at which citizens might be chosen into the different offices of State². And on the occasion on which Cato made this speech, it was enacted that the same person could not be repeatedly chosen. At the same time were made those additions to former sumptuary laws which have been already mentioned. The Census, or enrolment of the People, became an object of more attention than formerly: even the Latin allies, though settling at

¹ Vid. Pompeium Festum.

² It appears that, by this law, being Questors at thirty-one, they might rise to the consulate at forty-three.

at Rome, were not admitted as citizens¹; as to the numbers of the people, they generally mustered from three to four hundred thousand men.

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While the Romans had no war to maintain with the more regular and formidable rivals of their power, they still employed their legions on the frontier of their provinces in Spain, Dalmatia, Liguria, and on the descents of the Alps. They opened, for the first time, an intercourse with the Transalpine nations, by a treaty of alliance with the republic of Marseilles; in consequence of which, they protected that mercantile settlement from the attacks of fierce tribes, who infested them from the maritime extremities of the Alps and the Appenines. In the differences which arose among hordes in their neighbourhood, they were frequently admitted as umpires, gave audience to the parties, enforced their own decrees, and disposed of provinces and kingdoms at their pleasure. They kept a vigilant eye on the conduct and policy of all the different powers with whom they were at any time likely to be embroiled, and generally conducted their transactions, even with nations supposed independent, as they adjusted the business of their own distant possessions, by commission or deputation from the Senate empowered to decide, with the least possible delay, on such

X 2

matters

¹ Plutarch, in the Life of Flaminius, mentions a law by which the Censors were obliged to enrol every freeman that offered. The Latins complained, that their towns were depopulated by emigrations to Rome. Liv. ib. xli. c. 8.

CHAP. matters as might arise in the place to which their
 VIII. deliberations referred.

The number of commissioners employed in these services, for the most part, was ten. These took informations, formed plans, and made their reports for the final decision of the Senate; a practice fortunate or well advised, by which the members of this respectable body, in rotation, had an opportunity of becoming acquainted with that world which they were destined to govern.

The Senate itself, though from its numbers and the emulation of its members, likely to embarrass affairs by debate, delay, and the rash publication of its secret designs, in reality possessed all the advantages of decision, secrecy and dispatch, that could be obtained in the most select executive council, in so much that their intentions frequently continued to be secret, until they became known in the execution or effect. It was thus, that although the king of Pergamus made a journey to Rome, in order to excite the Romans to a war with his rival the king of Macedonia; that although he preferred his complaints in the Senate, and prevailed in obtaining a resolution to make war; yet no part of the transaction was public, until after the king of Macedonia was a prisoner at Rome. And this numerous assembly of citizens or statesmen, maintained throughout, and during a long period, one series of constant and uniform design, equally calculated in peace to extend their dominion by intrigue, as in war by conquest. During the present

sent respite from any considerable war, still intent on the enlargement of their influence, they balanced the kingdoms of Pergamus, Bythinia, and Capadocia, against one another, in such manner as to be able at pleasure to oppress any one that should become refractory or incur suspicion of any hostile design. And in a like strain [of deliberate artifice, they made the kingdom of Syria devolve on a minor, the son of Antiochus, who himself, at the death of his father Seleucus, had succeeded to the exclusion of Demetrius his elder brother, then an hostage at Rome¹. And under pretence of this minority, they sent a commission to take charge of the kingdom, were advancing fast to the entire possession of it, when their commissioners at Antioch were assaulted with connivance of the court. Octavius one of the number was killed, and the others forced to fly from the country.

On this occasion Demetrius, the more legitimate claimant of the throne of Syria, being still detained in a species of liberal confinement at Rome, thought the opportunity favourable to urge his pretensions, and to prevail on the Senate to restore him to the succession of his father's crown: but these crafty usurpers, notwithstanding the offence they had received from those by whom this prince was excluded from his right, preferred the advantages which they had over a minor king, to the precarious affection or gratitude of an active spirited young man, educated among themselves,

X 3

and

¹ Valer. Maxim. lib. ii. c. 2.

CHAP. and taught by their own example to know his in-
 VIII. terest, and the means of supporting it; and they
 accordingly denied his request.

Demetrius, however, made his escape from Rome, and, by the death of the minor and his tutor, got unrivalled possession of the kingdom. To pay his court to the Romans, as one of the first acts of his reign, he sent the murderer of their late commissioner, Octavius, in chains, to be punished at their discretion. But the Senate disdained to wreak their public wrongs on a private criminal; or, having cause of complaint against the nation at large, were not to be satisfied with the punishment of a single person. They suffered the prisoner, accordingly as beneath their attention, to depart.

As patrons of the kingdom of Egypt, they promoted the dismemberment of the monarchy, in causing it to be divided between the two brothers, who were then joined in the sovereignty, and rivals for the sole possession of the throne¹.

During the progress of these transactions, in which the Romans, by means in appearance pacific, were hastening to universal dominion, the Senate had repeated complaints from Africa, leading to a contest of which the event was more decisive in their advances to empire, than that of any other in which they had hitherto been engaged. In their conduct throughout, being now less solicitous than formerly of what the world should think, they, contrary to their usual pretensions to nation-

al

¹ Polyb. Excerptæ Legationes.

al generosity and liberality, sacrificed without re-
 serve, the states which opposed them, to the ambi-
 tion, or to the meanest jealousy, of their own re-
 public ¹.

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The province of Emporiæ, a district lying on the coast, and the richest part of the Carthaginian territory, had been violently seized by Gala, late king of Numidia, and father of Massinissa. It had been restored to Carthage by Syphax, when he supplanted the family of Gala on the throne of that kingdom; but now again usurped by Massinissa, when replaced on his throne by the power of the Romans, who were likewise disposed to support him in his claim to the subject in dispute; and the Carthaginians, precluded by the late treaty from making war on any ally of the Romans, had recourse to complaints and representations, which they made at Rome, both before and after the reduction of Macedonia. The Roman Senate had, for five and twenty years, eluded these complaints, and, during this time, was in the practice of sending commissioners into Africa, under pretence of hearing the parties in this controversy, but with instructions or dispositions to favour Massinissa, and to observe, with a jealous eye, the condition and the movements of their ancient rival ².

The Carthaginians, yet possessed of ample resources, and, if wealth or magnificence could constitute strength, still a powerful nation; being

X 4

weary

¹ Polyb. Excerptæ Legationes, No 142.

² Polyb. Excerptæ Legationes, c. 118. Liv. lib. xl. c. 17.

CHAP. weary of many vain applications and suits, took
VIII. their resolution to arm, and to assert by force their claim to the territory in question.

In proceeding to execute this resolution, they were met in the field by the army of Massinissa, commanded by himself, though now about ninety years of age, and were defeated¹.

This unfortunate event at once disappointed their hopes, and exposed them to the resentment of the Romans, who considered the attempt to do themselves justice, as a contravention of the late treaty, and a violation of the peace subsisting between the two nations.

The expediency of a war with Carthage had been for some time a subject of debate in the Roman Senate. Deputies had been sent into Africa, to procure the information that was necessary to determine this question. Among these Cato, being struck with the greatness, wealth, and populousness of that republic, and with the amazing fertility of its territory, when he made his report in the Senate, carried in a fold of his gown a parcel of figs, which he had brought from thence. "These," he said, "are the produce of a land that is but three days sail from Rome. Judge what Italy may have to fear from a country whose produce is so much superior to its own. That country is now in arms; the sword is drawn against Massinissa; but when thrust in
" his

¹ Liv. Epitome, lib. xlviii. Appian. de Bell. Punic, p. 38.

“his side, will penetrate to you. Your boasted
 “victories have not subdued the Carthaginians,
 “but given them experience, taught them caution,
 “and instructed them how to disguise, under the
 “semblance of peace, a war which you will find
 “to be marshalled against you in their docks and
 “in their arsenals.” This, and every other speech
 on the subject, the partial severity of this celebra-
 ted counsellor concluded with his famous saying,
 which was but too favourably received, “That
 “Carthage should be destroyed”¹;” so little fore-
 sight have nations of the ruin they prepare for
 themselves by the destruction of others.

Scipio Nasica, however, another speaker in this
 debate, resisted the doctrine of Cato; represented
 the forces of Carthage as not sufficient to alarm
 the Romans; or, if really greater than there was
 any reason to suppose them, no more than were re-
 quired to call forth into action or keep alive the
 virtues of a people who, for want of proper exer-
 tion, were already begun to decline in strength,
 vigilance, discipline, and valour.

In this diversity of opinions, it appeared soon
 after, that the Senate, endeavouring to palliate the
 measure, by some appearance of moderation in the
 terms, resolved not to destroy, but to remove the
 inhabitants of Carthage to a new situation, at least
 ten miles from the sea².

The

¹ Delenda est Carthago.

² Appian in Punicis. Plutarch in Vit. Catonis. Zonaras, lib. ix. c. 26.
 Oros. lib. iv. c. 22. Velleius, lib. i. c. 12. Polyb. Excerptæ Legationes
 No. 142.

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The Carthaginians, after their late unfortunate adventure with Maffiniffa, were willing to preserve their effects, and to purchase tranquillity by the lowest concessions. But as the measure now proposed by the Roman Senate amounted to a deprivation of all that immoveable property which was vested in houses or public edifices, and an entire suppression of all those local means of subsistence which could not be easily transferred from the coast to an inland situation, it was supposed that their consent could not be easily obtained, and it was accordingly resolved to keep the design a secret, until effectual means were prepared for its execution.

The Consuls, without any declaration of war, were instructed to arm, and to pass with their forces into Sicily. As their arrival on that island, which was then in a state of profound peace, evidently implied a design upon Africa, the people of Utica, that they might have the merit of an early declaration in favour of the Romans, sent a deputation to make them a tender of their own seaport and town, as a fit harbour and place of arms for the accommodation of their forces. The Carthaginians, meanwhile, were distracted with opposite counsels. Considering their present troubles as originating in the war with Maffiniffa, they laid the blame on Hasdrubal the supposed author of it, and him with his abettors they ordered into exile; but without coming to any other resolutions, formed a commission, with full powers to proceed as circumstances

stances might require, and agree to whatever they should find most expedient for the commonwealth. CHAP.
VIII. These commissioners, on their arrival at Rome, finding no disposition in the Senate to treat with them upon equal terms, resolved if possible to arrest, by the most humble concessions, the sword that was lifted up against their country. They accordingly acknowledged the imprudence of their late conduct, and implored forgiveness. They quoted the sentence of banishment passed upon Hasdrubal and his party, as an evidence of their contrition for the hostilities lately offered to Massinissa; and they made a formal surrender of their city and its territory to be disposed of at the pleasure of the Romans.

In return to this act of pusillanimity and folly, they were told, with an artful reservation, that the Romans, approving their conduct, meant to leave them in possession of their freedom, their laws, their territory, and of all their effects, whether private or public: but, as a pledge of their compliance with the measures that might be necessary to prevent the return of former disputes, they demanded three hundred hostages, the children of Senators, or of the first families in Carthage. This demand being reported in the city gave a general alarm; but the authors of these counsels were too far advanced to recede. They tore from the arms of their parents the children of families the most distinguished in the commonwealth; and, amidst the cries of affliction and despair, embarked those
hostages

CHAP. hostages for Sicily. Upon this island they were de-
 VIII. livered over to the Roman Consuls, and were by
 them sent forward to Rome.

The commanders of the Roman armament, without explaining themselves any further, continued their voyage, and, by their appearance on the coast of Africa, gave a fresh alarm at Carthage. Deputies from the unfortunate inhabitants of that place went to receive them at Utica, and were told, that they must farther deliver up their arms, ships, engines of war, naval and military stores. Even these alarming commands they received as the strokes of fate, which could not be avoided. "We do not mean," said one of the deputies, "to dispute your commands; but we entreat you to consider, to what a helpless state you are about to reduce an unfortunate people, who, by this hard condition, will be rendered unable to preserve peace among their own citizens at home, or to defend themselves against the meanest invader from abroad. We have banished Hasdrubal in order to receive you: we have declared him an enemy to his country, that you might be our friends: but when we are disarmed, who can prevent this exile from returning to occupy the city of Carthage against you? With twenty thousand men that follow him, if he comes into the direction of our government, he will soon oblige us to make war on you." In answer to this piteous expostulation, the Roman generals

nerals undertook the protection of Carthage, and ordered commissaries to receive the several articles that were to be surrendered, and to see the arsenals emptied, and the docks destroyed.

It is reported, that there were delivered, upon this occasion, forty thousand suits of armour, twenty thousand catapultæ, or large engines of war, with a plentiful store of darts, arrows, and other missiles.

So far, well knowing the veneration which mankind entertain for the seats and tombs of their ancestors, with the shrines and consecrated temples of their gods; and dreading the effects of a despair, with which the people might be seized, on perceiving how much they were to be affected in their private and public property, the Roman officers proceeded with caution. But now, thinking their object secure, they no longer disguised their intentions. The Consul called the Carthaginian deputies into his presence, and beginning with an exhortation, that they should bear with equanimity what the necessity of their fortune imposed, declared, as the definitive resolution of the Roman Senate, that the people of Carthage must relinquish their present situation, and build on any other part of their territory, not less than eighty stadia, or about ten miles, removed from the sea. The amazement and sorrow with which this declaration was received, justified the precautions which had been taken to secure the execution of the intended measure. The deputies threw themselves upon the ground, and endeavoured, from motives of pity,

CHAP. VIII. ty, or of reason, to obtain a revocation of this cruel and arbitrary decree. They pleaded the merit of their implicit submission, their weakness, their inability any longer to alarm the jealousy of Rome, circumvented, disarmed, bound to their duty by hostages the most precious blood of their citizens. They pleaded the faith which the Romans had plighted, the hopes of protection they had given, and the reputation they had justly acquired, not only for national justice, but for clemency and generosity to all who sued for protection. They pleaded the respect which all nations owed to the shrines and the consecrated temples of their gods; the deplorable state into which numbers of their people must be reduced, expelled from their habitations and immoveable possessions, the principal articles of their property, and the hopeless condition of others, who, inured to subsist by the advantages of a maritime situation, were entirely disqualified to support themselves or their children at a distance from the sea.

The Roman Consul replied, by repeating the express orders of the Senate, and bid the Carthaginians remember, that states were composed of men, not of ramparts and walls. That the Roman Senate had promised to spare and protect the republic of Carthage; and that they had fulfilled this engagement by leaving the people in possession of their freedom and their laws. That the sacred places should remain untouched, and that the shrines of the gods would still be within the reach of their pious visits. That the distance to which

it was propoſed to remove Carthage from the ſea was not ſo great as the diſtance at which Rome herſelf was placed ; and in ſhort, it was a matter fully decided, that the people of Carthage ſhould no longer have under their immediate view that element which opening a way to their ambition, had tempted them firſt into Sicily, afterwards into Spain, and laſt of all into Italy, and to the gates of Rome ; and which would never ceaſe to ſuggeſt projects of aggrandiſement dangerous to themſelves, and inconfiſtent with the peace of mankind. “ We go then,” ſaid the deputies of Carthage, “ to certain death, which we have merited by having perſuaded our fellow-citizens to reſign themſelves into the hands of the Romans. But if you mean to have your commands obeyed, you muſt be ready to enforce them ; and by this means you may ſave an unfortunate people from expoſing themſelves, by any act of deſpair, to worſe ſufferings than they have yet endured.”

The deputies accordingly, being followed at a diſtance by twenty galleys of the Roman fleet, ſet ſail for Carthage. They were received on the ſhore by multitudes, who crowded to hear the reſult of their negotiations ; but the ſilence they preſerved, under pretence that it was neceſſary to make their report firſt to the Senate, ſpread a general diſmay. In the Senate their meſſage was received with cries of deſpair, which ſoon conveyed to the people in the ſtreets a knowledge of the conditions impoſed upon them. And this nation, who, about forty

years

CHAP. years before, had consented to betray a principal
 VIII. citizen into the hands of their enemy, and who had lately resigned all the honours and pretensions of a free state, now kindled into rage at the thoughts of being obliged to destroy their habitations, and part with so great a part of their wealth, as could not be removed. They burst into the place where the Senate was assembled, and laid violent hands on all the members who had advised or borne any part in the late degrading submissions, or who had contributed to bring the state into its present helpless condition. They took vengeance, as is common with a corrupted populace, on others, for faults in which they themselves had freely concurred; and, as awake to new sentiments of honour, they reviled the spirit of their own commonwealth, ever ready to barter national character for profit, to purchase safety with shameful concessions, and to remove a present danger, by giving up what is the only security of nations against any danger, the reputation of their vigour, and the honour of their arms.

While the multitude broke into every kind of disorder, a few had the precaution to shut the gates, to stretch the chain which obstructed the entrance of the harbour, and to make a collection of stones on the battlements, these being now the only weapons they had left to repel the expected attack of the Romans. The remains of the Senate too, without reflecting on the desperate state of their own affairs, resolved on war. Despair and frenzy succeeded in every breast to dejection and meanness.

Assemblies

Assemblies were called to reverse the sentence of banishment lately pronounced against Hasdrubal, and against the troops under his command. These exiles were entreated to hasten their return for the defence of a city bereft of arms, ships, military and naval stores. The people, in the mean time, with an ardour which reason, and the hopes of success during the prosperity of the republic could not have inspired, endeavoured to replace the arms and the stores which they had so wretchedly surrendered. They demolished their houses to supply the docks with timber. They opened the temples and other public buildings to accommodate the workmen; and, without distinction of sex, condition, or age, were in haste to be employed, collected materials, furnished provisions, or bore a part in any labour that was thought necessary to put the city in a state of defence. They supplied the founders and the armourers with the brass and iron of their domestic utensils; or, where these metals were deficient, brought what they could furnish of silver and gold. Together, with the other materials which were used in the roperies, they cut off the hair from their heads, to be spun into cordage for the shipping, and into braces for their engines of war.

The Roman Consuls, apprised of what was in agitation, willing to await the returns of reason, and to let these first ebullitions of frenzy subside, for some days made no attempts on the city. But, hearing of Hasdrubal's approach with his army, they thought

CHAP. it necessary to endeavour, before his arrival, to pos-
 VIII. sess themselves of the gates. Having in vain at-
 tempted to scale the walls, they were obliged to
 undergo the labours of a regular siege; and though
 they made a breach, were repulsed in attempting
 to force the city by storm.

Hasdrubal had taken post on the creek which
 separated the peninsula of Carthage from the con-
 tinent, maintained his communication with the city
 by water, and supplied the inhabitants with pro-
 visions and arms. The Romans, seeing that they
 could not prevail while Hasdrubal retained his
 post, endeavoured to dislodge him, but were de-
 feated, and obliged to raise the siege. Having thus
 spent two years in the enterprise, and having chan-
 ged their commanders twice, but without any con-
 siderable advantage: they began to incur the dis-
 credit of having formed against a neighbouring
 commonwealth an invidious design which they
 could not accomplish. Enemies in every quarter,
 in Greece, Macedonia, and Spain, sprang up against
 them; and even Massinissa, unwilling to see their
 power in his neighbourhood substituted for that of
 Carthage, and jealous of the avidity with which
 they endeavoured to become masters in Africa,
 snatching from his hands a prey which he thought
 himself alone entitled to seize, withdrew his for-
 ces, and left them singly to contend with the
 difficulties in which they were so deeply invol-
 ved.

But the Romans were only animated by mortifi-
 cations

cations which are so apt to discourage other nations' They imputed the miscarriage of their troops to the misconduct of their generals ; and at the end of two years still clamoured for a better choice. Another Scipio, by birth the son of Emilius Paullus, and by adoption the grandson of Scipio Africanus, having already distinguished himself in Spain and in Africa, and being then arrived from the army to solicit the office of Edile, was thought worthy of the supreme command ; but being about ten years under the legal age, it was necessary to dispense with the law in his favour ; and this being done, his appointment to the province of Africa, in preference to his colleague, was declared without the usual method of casting lots.

The Carthaginians, though bereft of all their resources ; by having merely resumed their spirit, were now reinstated in their consideration, or rank among nations, and had treaties of alliance with the neighbouring powers of Mauritania and Numidia, whose aid they solicited with alarming reflections on the boundless ambition, and invidious policy of the Romans. They even conveyed assurances of support to the Achæans, to the pretended Philip, an impostor, who, about this time, laid claim to the throne of Macedonia ; and they encouraged with hopes of assistance the subjects of that kingdom, who were at this time in arms to recover the independence of their own country.

The mere change of a commander, and better discipline in the Roman army, however, soon al-

CHAP. tered the state and prospects of the war. The first
 VIII. object of Scipio was to cut off the communications
 of the Carthaginians with the country, and to intercept their supply of provisions and other articles necessary to withstand a siege.

Carthage was situate at the bottom of a spacious bay, covered on the west by the promontory of Apollo, on the east by that of Hermes, or Mercury, at the distance of about fifteen leagues from each other. The city stood on a peninsula joined to the main land by an isthmus about three miles in breadth, and covering a basin or harbour, in which their docks and their shipping were secured from storms and hostile attacks. The Byrsa, or citadel, commanded the isthmus, and presented at this only entrance to the town by land, a wall thirty feet thick and sixty feet high. The whole circumference of the place was above twenty miles¹.

The besiegers, by their shipping, had access to that side of the town on which the walls were washed by the sea; but were shut out from the harbour by a chain which was stretched across the entrance. Hasdrubal had taken post on the basin over against the town, and by these means still preserved the communication of the city with the country. Scipio, to dislodge him from this post, made a feint at a distant part of the fortifications to scale the walls, actually gained the battlements, and gave an alarm which obliged the Carthaginian general to throw himself into the city. The Roman general, satisfied

¹ Orosius, lib. iv. c. 22. Liv. Epitome, lib. li.

fixed with having obtained this end, took possession of the post which the other had abandoned ; and being now master of the continental side of the harbour, and free to enter the isthmus, he advanced to the walls of the Byrsa. In his camp he covered himself as usual with double lines ; one facing the fortifications he was about to attack, consisting of a curtain twelve feet high, with towers at proper intervals, of which one in the centre was high enough to overlook the ramparts, and to afford a view of the enemy's works ; the other line secured his rear from surprise on the side of the country ; and both effectually guarded the isthmus, and obstructed all access to the town by land.

The besieged, however, still continued to receive a supply of provisions by sea ; their victuallers took the benefit of every wind that blew fresh and right into the harbour, to pass through the enemy's fleet, who being too near the rocks, durst not, with such a wind, unmoor to pursue them. Scipio, to cut off this resource, projected a mole from the main land to the point of the peninsula across the entrance of the harbour. He began to throw in his materials on a foundation of ninety feet, with an intention to contract the mound gradually as it rose to twenty-four feet at the top. The work, when first observed from Carthage, was considered as a vain undertaking ; but when it appeared to advance with a sensible progress, gave a serious alarm.

The Carthaginians, to provide against the evils which they began to foresee from this obstruction

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to the entrance of their shipping, undertook a work more difficult, and more vast than even that of the besiegers, to cut across the peninsula within their walls, and to open a new passage to the sea; and this they had actually accomplished by the time that the other passage was shut. Notwithstanding the late surrender of all their navy and stores, they had at this time, by incredible efforts, assembled or constructed a fleet of sixty galleys. With this force they were ready to appear in the bay, while the Roman ships lay unmanned and unrigged, secure against any danger from an enemy whom they supposed to be shut up by insurmountable bars; and in these circumstances, if they had availed themselves of the surprise with which they might have attacked their enemy, must have done great execution on the Roman fleet. But having spent no less than two days in preparing for action, and in clearing their new passage after it was known to be open, they gave the enemy likewise full time to prepare. On the third they engaged, fought the whole day without gaining any advantage; and, in their retreat at night, suffered greatly from the enemy, who pressed on their rear.

While the besiegers endeavoured to obstruct this new communication with the sea, the besieged made a desperate attempt on their works by land. A numerous body of men, devoting their lives for the defence of their country, without any arms, and provided only with matches, crossed the harbour, and, exposing themselves to certain death, set

set fire to the engines and towers of the besiegers ; and, while they were surrounded and put to the sword, willingly perished in the execution of their purpose. C H A P.
VIII.

In such attempts and varieties of effect the summer elapsed ; and Scipio, with the loss of his engines, and a renewal of all the difficulties which he had formerly to encounter at sea, contenting himself with a blockade for some months, discontinued his attacks. But his command being prolonged for another year, he resumed his operations in the spring ; and finding the place, in this interval, greatly reduced by despair and famine, he forced his way by one of the docks, where he observed that the battlements were low and unguarded. His arrival in the streets did not put him in possession of the town. The inhabitants, during six days, disputed every house and every passage, and successively set fire to the buildings which they found themselves obliged to abandon. Above fifty thousand persons of different sexes, who had taken refuge in the citadel, at last accepted of quarter, and were led captive from thence in two separate divisions, one of twenty-five thousand women, and another of thirty thousand men.

Nine hundred deserters, who had left the Roman army during the siege, having been refused that quarter which was offered to the natives of Carthage, took post in a temple which stood on an eminence, with a resolution to die with swords in their hands, and after the greatest possible effu-

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VIII.

tion of blood to their enemies. To these Hasdrubal, followed by his wife and his children, joined himself; but not having the same motive of despair to persist in the purpose of these deserters, he left the temple and accepted of quarter. His wife, in the mean time, with more ferocity or magnanimity than her husband, laid violent hands on her children, and, together with their dead bodies, threw herself into the flame of a burning ruin. The Roman deserters also, impatient of the dreadful expectations which hung over them, in order to abridge the duration of the evils they suffered, set fire to the temple in which they had sought a temporary cover, and perished in the flames.

The city continued to burn during seventeen days; and all this time the Roman soldiers were allowed to seize whatever they could save from the flames, or wrest from the hands of the dying inhabitants, who were still dangerous to those who approached them. Scipio, in beholding this melancholy scene, is said to have repeated from Homer two lines containing a prophecy of the fall of Troy. "To whom do you now apply this prediction?" said Polybius, who happened to be near him; "To my own country," he said, "for her too I dread in her turn the reverses of human fate."

Scipio's letter to the Senate is said to have contained no more than these words: "Carthage is taken. The army awaits your further orders."

¹ For the history of the destruction of Carthage, see the authors already cited, p. 240.

“ders.” The tidings were received at Rome with uncommon demonstrations of joy. The victors, recollecting all the passages of their former wars; the alarms which had been given by Hannibal; and the irreconcilable antipathy of the two nations, gave orders to raze the fortifications of Carthage, and even to destroy the materials of which they were constructed:

A commission was granted by the Senate to ten of its members, to take possession of territories which were thus deprived of their sovereign, to model the form of this new province, and to prepare it for the reception of a Roman governor. And thus Carthage, the only instance, if Egypt be excluded from Africa, in which the human genius ever appeared greatly distinguished in that quarter of the globe; the model of magnificence, the repository of wealth, and one of the principal states of the ancient world, was no more. The Romans, in the outset of this transaction, incited by national animosity, and an excess of jealousy, formed a design more cruel towards their rival than at first view it appeared to be, and in the execution of it became actors in a scene of horror, which we may suppose to have led them far beyond their original intention. By the milder law and practice of modern nations, we may trust that we are happily exempted from the danger of ever beholding such horrid examples repeated, at least in any part of the western world.

While the event of this mighty siege remained in
suspense,

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suspense, the Romans had other wars to maintain on the side of Macedonia and Greece. And here also the natural progress of their policy, suited to the measures which they had taken with other nations, now ended in the open and avowed usurpation of a sovereignty which they had so long disguised under the specious titles of alliance and protection.

Macedonia being ill fitted to retain the republican form into which it had been cast by the Romans, after some years of distraction, and an attempt at last in favour of a pretended son of the late king, to recover its independence and its monarchy, underwent a second conquest. Of this transaction the following particulars are mentioned. Andronicus, an African of uncertain extraction, being observed to have some resemblance of features to the Royal family of Macedonia, had the courage, under the name of Philip, to personate a son of that unfortunate monarch, and to make pretensions to the crown. With this object in view, he went into Syria to solicit the aid of Demetrius, but was, by this prince, taken into custody, and transported in chains to Rome. The Romans paid little regard to so contemptible an enemy, and even allowed him to escape. After this adventure, the same impostor appeared a second time in Macedonia, and, with better fortune than he had in the first attempt, drew to his standard many natives of that country and of Thrace. In his first encounter he even defeated Juventius the Roman Prætor, and was acknowledged king; but soon after fell a prey to Metellus, and furnished the

the victors with an obvious pretence for reducing the kingdom of Macedonia to the ordinary form of a province. CHAP.
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The states of the Achæan league, at the same time, being already on the decline, hastened, by the temerity and distraction of their own councils, the career of their fortunes to the same termination.

The Romans, even while they suffered this famous confederacy to retain the shew of its independence, had treated its members in many particulars as subjects. At the close of the war with Perseus, they had cited to appear at Rome, or taken into custody as criminals of state, many citizens of Achaia, who had, in that contest, appeared to be disaffected to the Roman cause. Of these they had detained about a thousand in different prisons of Italy, until, after a period of seventeen years, about three hundred of them, who survived their confinement, were set at liberty, as having already suffered enough ; or as being no longer in condition to give any umbrage to Rome¹. Polybius being of this number, acquired, during his stay in Italy, that knowledge of Roman affairs which appears so conspicuous in the remains of his history. When at liberty, he attached himself to Scipio, the son of Emilius, and being well versed in the active scenes which had recently past in his own country, and being entirely occupied with reflections on matters of state and of war, no doubt contributed

¹ Pausanias in Achaicis.

CHAP. contributed by his instructions to prepare this
 VIII. young man for the eminent services which he was about to perform, when this last scene of expiring freedom was opened in Greece.

The Romans, while they detained so many of its principal citizens, in a great measure assumed the administration of affairs in Greece, disposed of every distinction, whether of fortune or power, and confined these advantages to the advocates of their own cause, and to the tools of their ambition¹. They received appeals from the judgments of the Achæan council, and encouraged its members, contrary to the express conditions of their league, to send separate embassies to Rome. The steps which followed are but imperfectly marked in the fragments of history which relate to this period. It appears that the Spartans, having been forced into the Achæan confederacy, continued refractory in most of its councils. In consequence of their complaints at Rome, a commission being issued by the Senate as usual, was sent to hear parties on the spot, and to adjust their differences. The Achæan council, incensed at this insult which was offered to their authority, without waiting the arrival of the Roman commissioners, proceeded to enforce their own decrees against the republic of Sparta, marched an army into Laconia, and at the gates of Lacedæmon, overpowered the inhabitants of that city who ventured to oppose their entrance. The Roman deputation arriving after these hostilities had commenced, summoned the parties

¹ Polyb. Excerpt. Legat. c. 103.

parties to assemble at Corinth, and, in name of the Senate, declaring, with their usual artifice, that all the cities which had been rescued from the dominion of Philip should be left in full possession of their independence and freedom, gave sentence, that Lacedemon, Corinth, Argos, Heraclea, and Orchomenos, not having been original members of the Achæan confederacy, should now be disjoined from it. Thus only weakening an enemy, whilst they pretended a zeal for the freedom of mankind.

Multitudes from all the different states of the league being on this occasion assembled at Corinth, a great riot ensued. The Roman deputies were insulted, and obliged to leave the place; and in this manner commenced a war in which the Romans, contrary to custom, engaged with reluctance, because they had expected to establish their sovereignty in Greece without any convulsion, and because Carthage being still unsubdued, they had otherwise full employment for their forces in Africa, Spain, and Macedonia. Instead, therefore, of commencing immediate hostilities, they renewed their commission, and named other deputies to terminate the existing disputes; but the states of the Achæan league, imputing the unusual conduct of the Romans in this particular to fear, and to the ill state of their affairs in Africa, while Carthage was likely to repel their attack, thought that they had found an opportunity to exclude for ever from their councils the overbearing influence of this arrogant nation.¹ They were

¹ Polyb. Excerpt. Legat. c. 244.

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were encouraged with hopes of support from Thebes, Eubœa, and other districts of Greece, where the people were averse to the dominion of the Romans; and they therefore assembled an army to assert their common rights, and to enforce their authority over the several members of their own confederacy.

Unfortunately for their cause, Metellus had then prevailed in Macedonia, and was at leisure to turn his forces against them. He accordingly moved towards the Peloponnesus, still giving the Achæans an option to avert the calamities of war, by submitting to the mandates of the Roman Senate. "These mandates," he said, "were no more, than that they should desist from their pretensions on Sparta, and the other cantons who applied for the protection of Rome."

But the Achæans thought it safer to resist, than to be disarmed under these stale pretences: they took the field, passed through the isthmus of Corinth, and, being joined by the Thebans, marched to Thermopylæ with a view to defend this entry from the side of Macedonia into Greece. In this, however, they were disappointed, being either prevented from seizing the pass, or speedily driven from thence by Metellus. They were afterwards intercepted in their retreat through Phocis, where they lost their leader Critolaus, with a great part of his army¹. Diaeus, who succeeded him as head of the confederacy, assembling a new force, which

¹ 2 Orosius, lib. v. c. 3. Pausanias in Achaïcis.

which consisted of fourteen thousand foot and six thousand horse, took post on the isthmus of Corinth, and sent four thousand men for the defence of Megara, a place which still made a part in the expiring confederacy of independent Greeks.

Metellus, who after his victory had made himself master of Thebes, advanced to Megara, dislodged the Achæans from thence, and continued his march to the isthmus. Here he was superseded by Mummius, the Consul of the present year, who, with the new levies from Rome, made up an army of twenty-three thousand foot and three thousand five hundred horse. The enemy, having gained an advantage over his advanced guard, were encouraged to hazard a battle under the walls of Corinth, and were defeated. The greater part fled into the town, but afterwards in the night withdrew from the place. Their general Diæus had retired from the field of battle to Megalopolis, whither he had sent his family; there having killed his wife and children, to prevent their falling into the hands of the enemy, he himself took poison, and died.

Such are the imperfect accounts which remain of the last efforts made by the Greeks to preserve a freedom, in the exercise of which they had acted so distinguished a part among nations. As they never were surpassed by any race of men in the vigour with which they had for some time supported their republican establishments, so, even after these were abolished or decayed, or after the military and political

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litical spirit which constitutes the strength and security of states were lost, they appeared to retain their ingenuity and skill in the practice of elegant arts. In this latter period, which preceded their extinction, as the Achæan league was dissolved on having incurred the resentment of the Romans, so the degenerate remains of the Spartan republic perished in having accepted the protection of that overbearing community. The enmity and the friendship of the Romans being equally fatal, these and every other state or republic of Greece, from this time forward, ceased to be numbered among nations, having fallen a prey to a power, whose force nothing could equal but the ability and the cunning with which it was exerted.

Such, at least, is the comment which we are tempted, by the conduct of the Romans, on the present occasion, to make on that policy, with which, about fifty years before this date, Flamininus, to detach the Grecian cities from Philip, proclaimed, with so much ostentation at the isthmus of Corinth, general independence, and the free exercise of their own laws to all the republics of Greece. That People, when they meant to ingratiate themselves, surpassed every state in generosity to their allies, they gained entire confidence, and taught nations, who were otherwise in condition to maintain their own independence, to rely for protection on that very power from which they had most to fear for their liberties; and in the end, under some pretence of ingratitude or affront,

front, became the tyrants of those very nations who had most plentifully shared in their bounty.

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In this policy there were some appearances of a concerted design, which was at one time liberal and generous beyond example, at another time cruel and implacable in the opposite extreme, equally calculated to gain or to terrify, in the cases to which either species of policy was suited. It is however probable, that they were led by the changing state of their interests, and followed the conjuncture without any previous concert. In this sort of conduct the passions are wonderfully ready to act in support of the judgment; and we may venture to admit, that the Romans were actually sincere in the profession of generosity which they made, and of which the belief was so favourable to the advance of their power. Although, upon a change of circumstances, in which they had no longer equal occasion to manage the temper of their allies, they became impatient of contradiction, and gave way to their resentment on any the slightest provocations, or indulged their ambition without controul, when there was no risk of disappointment. Their maxim, to spare the submissive, and to reduce the proud¹, whether founded in sentiment or cunning, was equally productive of all the extremes, whether of generosity or arrogance observed in their conduct; it led them by degrees to assume a superiority in every transac-

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tion,

¹ *Parcere subjectis, et debellare superbos.*

CHAP. tion, and as their power increased, was in reality
 VIII. the tone of dominion over all other nations.

On the third day after the battle which was fought in the isthmus of Corinth, the victorious army entered the city; and their general, considering that the inhabitants had a principal share in the late insult offered to the Roman Commissioners, determined to strike a general terror into all the members of the Achæan league, by the severities which he was now to exercise against this people. Mummius, the Roman Consul, though, with the rest of his countrymen of this age, ill qualified to distinguish the elegant workmanship of the Grecian artists¹, ordered the statues and pictures, of which great collections had been made at Corinth, to be set apart for his triumph; and, with this reserve, gave the town, abounding in all the accommodations and ornaments of a wealthy metropolis, to be pillaged by the soldiers. And, when this was done, he razed the walls, and reduced the city to ashes.

Thus Corinth and Carthage perished within a year of each other. The fortifications of Thebes, and of some other towns disaffected to the Romans, were at the same time demolished; and the arrangements to be made in the country of Greece were submitted to the discretion of deputies from the Roman Senate. By their order, the Achæan league was dissolved, and all its conventions annulled.

¹ Mummius is said to have delivered them to the masters of ships, with his famous threat, that if any of these curiosities were lost, they should be obliged to replace them.

nulled. The states which had composed it were deprived of their sovereignty, subjected to pay a tribute to Rome, and placed under the government of a person to be annually sent from thence, with the title of the Prætor of Achaia ^{CHAP. VIII.}.

The Romans now, perhaps for the first time, openly appeared in the quality of conquerors. The acquisition of revenue from Macedonia, which, about twenty years before this date, had first taught them to exempt themselves from taxation, excited from thenceforward an insatiable thirst of dominion; and their future progress is marked by the detail of wars which they maintained on their frontier, not in defence of their own possessions, but for the enlargement of an empire already too great.

In Spain, where they still met with resistance, they had hitherto acted either on the offensive or defensive, according as the State was, or was not, at leisure from the pressure of other wars, or according as the generals they employed in that country were ambitious or pacific.

On the conclusion of the peace with Philip, the Roman territory in Spain had been divided into two provinces, and accordingly furnished the stations of two separate commanders annually sent from Rome. On the renewal of the war in Macedonia, and during the continuance of it, these provinces were again united under one government. But upon the defeat of Perseus, and the

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reduction

^a Pausanias, lib. vii. c. 16. Polyb. Excerptæ de Virtutibus et Vitiis.

CHAP. reduction of Macedonia, they were separated, and
 VIII. from thenceforward continued to have their governors apart.

From that time the Romans seem to have extended the same ambitious views to Spain, as to other parts on the confines of their empire. They pressed upon the natives, not as before, chiefly to secure their own territory from inroad and depredation, but to gain new accessions of dominion and wealth. They advanced to the Tagus, endeavoured to penetrate beyond the mountains from which that river derives its source; and in the sequel became involved in struggles of many years duration, with the Lusitanians, Gallicians, and Celtiberi.

In these wars the Roman officers being actuated, by their avarice as well as ambition, were glad of occasions to quarrel with an enemy, amongst whom the produce of rich mines of silver and of gold were known to abound, and where so precious a harvest was likely to be reaped by those who were employed in the service. The theatre of the war in this country being also less conspicuous, and the conduct of generals less strictly observed than they were in Africa, Asia, or Greece; such as were employed in it took liberties, and ventured upon acts of treachery or breach of faith with the cantons around them, which the Roman Senate seldom avowed, and they also ventured upon acts of extortion and peculation, which gave occasion to the first complaints of this sort that were brought to Rome.

A town having surrendered by capitulation to a
 Roman

Roman Proconsul, of the name of Lucullus, the inhabitants notwithstanding, in open violation of treaties, were plundered by his order, and put to the sword. A like act of perfidy and cruelty was soon afterwards committed by Galba, commanding in Lusitania, or the western province of Spain. But these examples probably, instead of forwarding, retarded the progress of the Roman arms, and confirmed that obstinate valour with which the natives, assailed by a succession of Roman Generals, Prætors, or Consuls, who were employed to subdue them, disputed every post in defence of their country. This contest they continued, or at short intervals renewed, with various success, from the first expedition of the Scipios to the last of Augustus, which ended the career of conquest from Rome.

The Lusitanians, at the beginning of the last war with Carthage, incensed by the treachery of Galba, now mentioned, re-assembled in numerous parties under a native of their own country, of the name of Viriathus, who had himself escaped from the massacre on that occasion, and who entertained an implacable resentment to the authors of it. This leader, according to the Roman historians, had been originally a herdsman, afterwards a chief of banditti, and last of all the commander of an army which often defeated the Italian invaders, and threatened their expulsion from Spain. He seems to have known how to employ the impetuous courage or ferocity of a rude people against troops depending on discipline as well as numbers and

CHAP. VIII. valour; and to have possessed what the Spaniards retained, even down to the days of Cæsar, the faculty of turning the want of order to account against an enemy so much accustomed to form; as, in a great measure, to rely upon it for success in most of their operations. With him an apparent rout and dispersion of his followers was the ordinary prelude to a violent attack; and he commonly endeavoured, by pretended flights and disorderly movements, to draw his enemy into rash pursuits or precipitant marches, and seized every advantage of this sort which were given to him with irresistible address and valour. He continued, accordingly, above ten years to baffle all the attempts which the Romans made to reduce Lusitania. And had projected a league and defensive confederacy with the other free nations of Spain; when he was assassinated, as he lay asleep on the ground, by two of his own followers, supposed to be in concert with the Roman general, who was at this time employed against him.

The invaders, upon this event, found the western and northern parts of Spain open to their inroads. And in little more than a year afterwards a Roman army under Brutus passed the Duero¹, and penetrated quite to the coast of Gallicia, from which they reported, with more than the embellishments and exaggerations of ordinary travellers, that the sun was seen from this distant region, when he set in the evening, to sink and to be extinguished

¹ Durius.

tinguished with a mighty noise in the Western Ocean. CHAP.
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The natives of this country, however, did not think themselves subdued by its being thus overrun. They retired, with their cattle and effects, into places of strength; and, when required to pay contributions, replied, That their ancestors had left them swords to defend their possessions, but not any gold to redeem them.

Such were the occupations of the Roman arms in the western division of Spain, while they were in the eastern province, under the Elder Cato, the Elder Tiberius Gracchus, and others, in like manner employed to secure what the State had already acquired, or to extend its limits. These officers obtained their respective triumphs, and annexed to the Roman possessions on the coast considerable acquisitions also in the inland parts of the country. Here, however, their progress had been greatly retarded by the obstinate valour of the Numantians and other cantons of the Celtiberi, who had maintained the contest against them during fifty years, and at last had formed a general confederacy of all the interior nations of Spain, to be conducted by the Lusitanian Viriathus, when their measures were broken by the death of that formidable leader.

Numantia was the principal strong hold, or, as we may conceive it, the capital of a small nation. Their lodgement, or township, was contained within a circumference of about three miles, si-

CHAP. tuate among the mountains of Celtiberia, or Old
 VIII. Castile, and at the confluence of the Durus with another river, both of which having steep banks, rendered the place, on two of its sides, of very difficult access, and on the third side or base of a triangle, it was fortified with a rampart and ditch.

The people could muster no more than eight or ten thousand men; but these were greatly distinguished by their valour, reputed superior in horsemanship to every other nation of Spain, and equal, if not superior, to the Romans themselves in the use of the shield and the stabbing sword, weapons originally copied from Spain. They had already gained many victories over the Roman armies which had been employed to reduce them. They had obliged Pompeius, one of the Roman generals, contrary to the practice of his country, to accept of a treaty while the advantage of fortune was against him; and they obliged the Consul Mancinus to save his army by a capitulation¹. Neither of those treaties indeed were ratified by the Roman Senate. To expiate the breach of the last, the Consul Mancinus, who concluded it, together with Tiberius Gracchus his Questor, were ordered to be delivered up into the hands of the enemy, and to suffer in their own persons for the failure of engagements which they could not fulfil. Tiberius Gracchus appealed to the people, was saved by their favour, and from this time is supposed to have received that bias which he followed in the subsequent

¹ Eutropius, lib. iv. c. 8.

subsequent part of his political conduct. Mancinus acquiesced in the sentence of the Senate, was presented naked and in fetters at the gates of Numantia, as a sacrifice to the resentment of that nation, for the breach of a treaty which the Romans determined not to observe. But this victim was nobly rejected, and the Numantians insisted on the conditions they had stipulated, saying, that a public breach of faith could not be expiated by the suffering of a private man¹.

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These transactions passed about ten years after the destruction of Carthage, and the Romans, mortified with the length and ill-success of the war with Numantia, had recourse again to the services of Scipio, by birth the son of Emilius, though adopted, as we have mentioned, into the Cornelian family, and from his services in Africa, honoured, as his grandfather by adoption had been, with the title of Africanus.

They had formerly dispensed, in his favour, with the law that required a certain age as a qualification for the Consulate; and now, in order to employ him a second time, they were obliged to suspend another law, which prohibited the re-election of the same person into that office.

Upon the arrival of Scipio in Spain, it is said that he found the Roman army, discouraged by repeated defeats, withdrawn into fortified stations at a distance from the enemy, detesting the hardships of a military camp, indulging themselves in all the vices of a disorderly town, and subject to
panics

¹ Appian de Bell. Hispan. p. 302.

CHAP. panics on the slightest alarm. To an army so cor-
 VIII. rupted, it is said that the cries, the aspect, the
 painted visage, and the long hair of the Spaniard
 were become objects of terror².

Among the reformatations which Scipio made to restore the vigour of the troops, he cleared the camp of its unnecessary followers, amongst whom are mentioned women, merchants, and fortune-tellers; he restricted the quantity of baggage to be carried into the field, reduced the furniture of the officers kitchen to the spit and the pan; and the service of his own table to plain food, roasted or boiled. He prohibited the use of bedsteads in camp, and set the example himself of sleeping on a straw mat; likewise restrained the infantry from the use of horses on the march, and obliged them to carry their own baggage.

Though at the head of superior numbers, he declined a battle, avoided every route on which the enemy were prepared to receive him; and with a superior address in the management of his resources, and in protracting the war, balked the ardour of a fierce people for splendid efforts of valour: he laid waste the country around them, and by degrees obliged them to retire within their own ramparts, and to consume what was raised or provided within the circuit of their walls.

Scipio had been joined on his march to Numan-
 tia by Jugurtha, the grandson of Massinissa, who,
 on this service, made his first acquaintance with
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¹ Florus.

the Romans, and brought a reinforcement of twelve elephants, with a considerable body of horse, of archers and slingers. At the arrival of this auxiliary force, the army amounted to sixty thousand men. But Scipio did not attempt to storm the town; he took a number of posts which he successively fortified, and, by joining them together, completed a double line of circumvallation, equal in strength to the walls which were opposed to him. He had his curtains, his towers, his places of arms corresponding with those of the enemy; and he established an order of service and a set of signals, in case of alarm by day or by night, which resembled more the precautions of an army on its defence, than the operations of a siege. His intention was to reduce the Numantians by famine, an effect of time, during which he might be exposed to surprise from the sudden efforts of indignation or despair in so warlike a people.

Numantia being at the confluence of rivers, on which small vessels could descend with the stream, or which could, with the favour of proper winds, even remount in the sight of the enemy, the people, for a while, procured some supplies by water, even without the assistance of boats. Numbers of them swimming with great address, and diving at proper places, to avoid being seen, still eluded the vigilance of their enemy, and preserved a communication with the country, until the channels of the rivers also were barred across by timbers.

timbers, which were made fast to the banks, and
CHAP. VIII. armed with sword-blades and spikes of iron.

The besieged were still in hopes of succour from their allies. To obtain it, five aged warriors undertook, each with his son for a second, to pass through the lines of the enemy, and to sue for relief from the neighbouring nations. They succeeded by night in the first part of their attempt, cut down the Roman guard in their way, threw the camp into some confusion, and escaped before the cause of alarm could be known. They proceeded to sue for relief among the nations around. But their cause was become desperate, and too likely to involve in certain ruin any friend who embraced it. Compassion for their sufferings prevailed at Lutia alone, the head of a small canton, forty miles from this scene of distress.

The young men of this place took their resolution in favour of the injured Numantians; but Scipio had notice of their intention in time sufficient to prevent its effect. He hastened to the place, and, having accomplished this march of forty miles in eight hours, surprisèd the inhabitants, had four hundred young men delivered up to him, and ordered their right arms to be struck off. By this dreadful act of severity, happily reprobated in modern war, he secured himself from any danger on that quarter, and impressed the other states of that neighbourhood with terror.

The Numantians, in the mean time, pressed with famine, and having no hopes of relief, sent a deputation

deputation to try the clemency of their enemy. "What was once a happy state," they said "content with its own possessions, and secure in the valour of its citizens, is now reduced to suffer, for no other crime than that of having maintained their freedom, and of having defended their wives and their children.

"For you," they continued, addressing themselves to Scipio, "who yourself are said to possess so many virtues, it would become you to espouse the cause of this injured nation, and procure to them terms which they could with honour prefer to their present distresses. Their expectations are moderate, for they have felt the reverses of fortune. It is now in your power either to receive their submission under any tolerable conditions you may think proper to prescribe, or to see them perish in some act of despair, which may prove fatal to many of their enemies, as well as to themselves."

Scipio replied, That he could not grant them any terms; that they must surrender at discretion.

Upon the return of this answer they resumed their former obstinacy, and held out until they had consumed every article of provision within their walls; endeavoured to turn their shields and other utensils of leather into food, devoured the dead bodies, and even preyed on each other.

The end of this piteous scene is variously reported. By some it is said, that, in the last stage of despair, the Numantians sallied forth to purchase

CHAP. chase death by the slaughter of their enemies ; that,
 VIII. in the execution of this purpose, they for some time exposed themselves with the most frantic rage, till the greater part being slain, a few returned into the town, set fire to the houses, and, with their wives and children, perished in the flames¹.

By others it is said, that they agreed to surrender on a certain day, but that when this day came they begged for another ; alleging, that many of their people, yet fond of liberty, had determined to die in possession of it, and wished for one day more, that they might the more deliberately execute their purpose. Such was the aversion to surrender at discretion, which the fear of captivity, and that of its ordinary consequences among ancient nations, had inspired. The few of this high-minded people who survived the effects of despair, falling into the enemy's hands, were stripped of their arms. Fifty were preserved, as a specimen of the whole, to adorn the victor's triumph. The remainder were sold for slaves, and the walls of their strong hold were levelled with the ground. The prisoners, even after they had laid down their arms, and submitted to mercy, retained the ferocity of their looks, and cast on their victors such glances of indignation and rage, as still kept the animosity of enemies awake, and prevented the returns of pity. As these particulars, with others of the same kind, strongly mark the defects which subsisted

¹ Orosius, lib. v. c. 7. Florus, lib. ii. c. 18.

substituted in the supposed laws of war among ancient nations, the reader will probably bear with the shock that is given to his feelings of compassion, for the sake of the picture which it is necessary to give of the manners of the times.

If we judge of Numantia from the resistance it made to the Roman arms, it having been one of their most difficult conquests, we must consider it as a state of considerable power. Its reduction gave immediate respite from war in Spain. Scipio and Brutus returned nearly together from their provinces in that country, and had their separate triumphs in the same year.

These operations against Numantia, Carthage, Macedonia, and Greece, were accompanied with a revolt of the slaves in Sicily, and with a number of other wars less considerable in Illyricum, Thrace, and Gaul. Of these the revolt of the slaves merits the greater attention, on account of the view it gives of the state of the countries now under the immediate jurisdiction of Rome. The island of Sicily having been the first acquisition which the Romans made beyond the limits of Italy, had been for some time in a state of domestic tranquillity, and undisturbed by any invasion from abroad. Its lands were become the property of Roman citizens, who here, as on their estates in Italy, made their plantations, and cultivated their fields, to supply with corn, wine, and oil, the markets and granaries of Rome. The labour was performed by slaves. These were fettered at their work

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VIII.

work in the fields, or confined in vaults and fortified workhouses at the several tasks they were employed to perform. As the proprietors of land had many reasons to prefer the labour of slaves to that of freemen, who were distracted by their political engagements, and subject to be called upon or pressed into the military service, the number of slaves continually increased. They were, for the most part, prisoners of war; and some of them being even of high rank, unused to submission, and animated with fierce passions of indignation and scorn, were ready, upon every favourable opportunity, to take arms against their masters, and often to shake the state itself with a storm, which was not foreseen until it actually burst on those who were in its way.

About ten years after the destruction of Carthage, and four years before that of Numantia, this injured class of men had been incited to revolt in Sicily by Eunus, a Syrian slave; who, at first, under pretence of religion, and by the fame of miracles he was supposed to perform, tempted many to break from their bondage; traversed the country, broke open the vaults and prisons in which his fellow-sufferers were confined, and actually assembled a tumultuous force of seventy thousand men. From this beginning, in four successive campaigns, he made a prosperous war on the Prætors of Sicily, and often stormed the entrenchments of the Roman camp.

This leader, however, being ill-qualified to im-
prove

prove his victories, and having no concerted plan for the government or subsistence of his followers, in a country exhausted or ruined by their own devastations, was at length, by the caution and superior conduct of Peperna, or Publius Rutilius, gradually circumscribed in his depredations, defeated, and obliged to take refuge in Enna, a fortified place, where about twenty thousand of his followers being put to the sword, the remainder, as an example to restrain the future insurrection of slaves, were nailed to the cross near the most frequented highways, and in the most conspicuous parts of the island.

While the Roman armies were thus employed in the provinces, or on the frontier of their extensive conquests, Italy itself had long enjoyed a perfect security; the lands were cultivated, and the country stocked with people, whether aliens or citizens, freemen or slaves. From about three hundred thousand¹; which, in this period, were the ordinary return of the Census, the citizens soon after augmented to above four hundred thousand²; and Scipio, under whose inspection as Censor this return was made, hearing the crier repeat the prayer which was usual at the closing of the rolls, "That the republic might increase in the numbers of its people, and in the extent of its territory;" bid him pray that it might be preserved, for it was already sufficiently great. It

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¹ Three hundred and twenty thousand.

² Four hundred and twenty-eight thousand three hundred and forty-two.

CHAP. is probable that, in the view of this sagacious ob-
 VIII. server, the progress of corruption already began to
 appear in the capital; and this mighty republic, like a tree, which still continued for a century to make vigorous shoots from its branches, already bore some marks of decay in its trunk.

The offices of State, and the government of provinces, to which those who had occupied the former succeeded, began to be coveted from motives of avarice, as well as ambition. Complaints of peculation and extortion, which were received about this time from Spain and Macedonia, pointed out the necessity of restraining such oppressions, and suggested those penal laws, which were so often, and with so little effect, amended and revived.

An action was instituted in favour of the provinces, against governors or their attendants, who should be accused of levying money without the authority of the State; and an ordinary jurisdiction was granted to one of the Prætors, to hear complaints on this subject. The penalty at first was no more than restitution, and a pecuniary fine; it was gradually extended to degradation, and exile.

No. 604.
 Lex Cul-
 purnia de
 Repetundis.
 Questiones
 perpetuæ.

These reformatations are dated in the time of the last war with Carthage, and are ascribed to the motion of Culpurnius Piso, then one of the Tribunes. Before this time all jurisdiction in criminal matters belonged to the Tribunal of the People, and was exercised by themselves in their collective body, or occasionally delegated to a special

special commission. Few crimes were yet defined by statute, and ordinary courts of justice for the trial of them were not yet established. In these circumstances criminals of State had an opportunity not only to defend themselves after a prosecution was commenced, but likewise to employ intrigue, or exert their credit with the People, to prevent or evade a trial.

To supply these defects, a list of statutory crimes now began to be made, and an ordinary jurisdiction was established. Besides extortion in the provinces, which had been defined by the law of Culpurnius¹, murder, breach of faith, robbery, assault, poisoning, incest, adultery, bribery, false judgment, fraud, perjury, &c. were successively joined to the list; and an ordinary jurisdiction for the trial of such crimes was vested in a tribunal of Senators, over whom the Prætor, with the title of Quæstor, presided.

The number of Prætors, corresponding to this and other growing exigencies of the State, was now augmented to six; and these officers, though destined, as well as the Consuls, to the command of armies and the government of provinces, began, during the term of their magistracy, to have full occupation in the city. On this account it was not till after the expiration of the year for which they had been elected, that they drew lots for a province. A like policy was soon after adopted

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in

¹ Parricidium, vis publica, latrocinium, injuria, venificium, incestus, adulterium, captæ pecuniæ, corrupti judicii, falsi, perjurium.

CHAP. in the destination of Consuls, and other officers
 VIII. of State, who, being supposed to have sufficient occupation in Italy and Rome during the year of their appointment, were not deputed to any provincial service till that year was expired.

With these establishments, calculated to secure the functions of office, the use of the secret ballot was introduced, first in elections, and afterwards in collecting opinions of judges in the courts of justice: a dangerous form of proceeding in constitutions tending to popular licence, and where justice is more likely to suffer from the unawed passions of the lower people, than from any improper influence of superior rank; and where the authority of the wise, and the sense of public shame, were so much required, as principal supports of government.

An occasion for the commission of new crimes is frequently taken from the precautions which are employed against the old. From the facility with which criminal accusations now began to be received, a new species of crime accordingly arose. Calumny and vexatious prosecutions, commenced by disappointed competitors against persons in public trust, became so frequent as to require the interposition of law. On this account it was enacted, upon the motion of Memmius, that all persons in office, or appointed to command in the provinces, might decline answering a criminal charge until the expiration of their term, or until their return

turn from the service to which they were destined¹; and persons of any denomination might have an action of calumny against the author of a false or groundless prosecution. Whoever was convicted of this offence was to be branded in the face with the initials of his crime.

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VIII.

By these establishments the city of Rome, long resembling a mere military station, made some progress in completing the system and application of her civil code. Literary productions, in some of their forms, particularly in the form of dramatic compositions, as hath been already observed, began to be known. The representation of fables was first introduced at Rome, under pretence of religion, and practised as a sacred rite, to avert the plague or other public calamity. The entertainment itself was fondly received by the People, and therefore frequently presented to them by the Ediles, who had the charge of such matters. Literature, however, in some of its less popular forms, was checked, as a source of corruption. In the year of Rome five hundred and ninety-two, that is, about eight years after the reduction of Macedonia, the Roman Senate, upon a report from M. Pomponius, the Prætor, that the city was frequented by philosophers and rhetoricians, resolved that this officer, agreeably to his duty to the republic, should take care to remove all such persons in the manner his own judgment should direct¹.

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¹ Lex Memmia de reis postulandis. Lex Cassia Tabellaria.

² A. Gellius, lib. xv. c. 11.

CHAP.

VIII

In about six years after this date, an embassy having come from Athens, composed of scholars and rhetoricians, who drew the attention of the youth by the display of their talents, an uncommon dispatch was given to their business, that they might not have any pretence for remaining too long in the city.

A proposal which was made during this period, to erect a theatre for the accommodation of the spectators at their public shews, was rejected with great indignation, as an attempt to corrupt the manners of the People. The materials which had been collected for this work were publicly sold, and an edict, at the same time, was published, that no one should ever resume this design, or attempt to place any bench or seat for the accommodation of spectators at any theatrical entertainment in the city, or within a mile of its walls¹. It was thought an act of effeminacy, it seems, for the Roman People to be seated; and it is undoubtedly wise, in matters of small moment, however innocent, to persist in the prohibition of what is considered as an evil, or, if established severities are to be remitted, it is proper that the opinion of innocence at least should precede the indulgence.

The sumptuary laws already mentioned, respecting entertainments and household expences, were, under the name of Didius, the person who proposed the renewal of them, revived²; and, with some alterations, extended to all the Roman citizens dispersed over Italy.

Such

¹ Val. Maxim. lib. ii. c. 4.

² Lex Didia.

Such was the antidote which the policy of that age provided, in the capital of a great empire, against luxury and the ostentation of wealth, distempers incident to prosperity itself, and not to be cured by partial remedies. The Romans (knowing better how to accomplish the celebrated problem of Themistocles, *in making a small state a great one*, than they knew how to explain the effects of its greatness) commonly imputed the progress of luxury to some particular circumstance, or accidental event. To the spoils of Tarentum, they said, and of Asia¹, to the destruction of our principal rivals the Carthaginians; to the mighty show of statues, pictures, and costly furniture, which were brought by Mummius from Corinth, we owe this admiration of finery, and so prevailing a passion for private as well as for public expence.

In this manner they were pleased to account for changes of manners, which were the result of extended empire, of domestic wealth, of exemption from alarms in a city abounding with riches, and to which the revenue of so many provinces, with a rapid and increasing stream, flowed through the channels of private fortune or public treasure².

¹ Asia primum devicta luxuriam misit in Italiam. Plin. lib. xxxiii. c. 11.

² Liv. lib. xxxix. c. 6. Plin. lib. xxxvii. c. 1.

C H A P. IX.

Extent of the Roman Empire.—Political Character of its Head.—Facility with which it continued to advance.—Change of Character, political as well as moral.—Character of the People or Commons.—Dangerous Humours likely to break out.—Appearance of Tiberius Gracchus.—His project to revive the Law of Licinius.—Intercession of the Tribune Octavius.—The Republic divided.—Disputes in the Comitia.—Deposition of the Tribune Octavius.—Commissioners appointed for the Division of Lands.—Tiberius Gracchus sues to be re-elected Tribune.—His Death.—Immediate Consequences.—Proceedings of Carbo.—Embassy of Scipio.—Foreign Affairs.—Violence of the Commissioners.—Domestic Affairs.

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IN the manner that has been summarily stated in the preceding Chapters, the Romans completed their political establishment, and without materially departing from the policy by which they had been preserved in the infancy of their power, made their first and greatest advances to empire. They were become sovereigns of Macedonia, Greece, Italy, part of Africa, Lusitania, and Spain; yet, even in this pitch of greatness, made no distinction between the civil and military departments, nor gave to any citizen an exemption from the public service, however burdensome or severe. They did not despise their enemy, neither in the measures they

they took, nor in the exertions they made to resist him: and as the fatal effects which they and all the other nations of the ancient world were accustomed to expect from defeats, were no less than servitude or death, they did not submit to an enemy, in consequence of any event, nor under the pressure of any calamity whatever.

Other nations were elevated with victories, and sunk under defeats; and became insolent or mean with the tide of their fortunes. The Romans alone were moderate in prosperity, and arrogant when their enemies expected to force their submission.

Other nations, when in distress, could weigh their sufferings against the concessions which they were required to make; and, among the evils to which they were exposed, preferred even submission, if that appeared to be the least. The Romans alone spurned the advances of a victorious enemy; were not to be moved by sufferings; and, though they cautiously avoided difficulties that were likely to surpass their strength, did not allow it to be supposed that they were governed by fear in any case whatever. They willingly treated with the vanquished, and were ready to grant the most liberal terms when the concession could not be imputed to weakness or dismay. By such free and unforced concessions, indeed, they established a reputation for generosity, which contributed, no less than their valour, to secure the dominion they acquired.

With the same insinuating titles of protectors or allies,

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allies, by which they had, in the infant state of their policy, brought all the cantons of Latium to follow their standard ; they continued to take an easy ascendant over nations whom they could not have otherwise subdued. But as they were liberal in their advances to friendship, so, after repeated provocations seemed to justify a different conduct, even towards a friend, they were terrible in their resentments, and, in case of any breach with an ally, they took ample compensation for the favours they had formerly bestowed.

By their famous maxim in war, already mentioned, That *the submissive were to be spared*, and *the proud to be humbled*¹, it became necessary for them, in every quarrel, to conquer or to perish ; and, when these were the alternatives proposed by them, other nations were entitled to consider them as common enemies. No State has a right to make the submission of mankind a necessary condition to its own preservation ; nor are many States qualified to support such pretensions. Some part of the political character, however, so eminent in this famous Republic, is necessary to the safety, as well as to the advancement, of nations. No free State or Republic is safe under any other government or defence than that of its own citizens. No nation is safe that permits an ally to suffer by having espoused its cause, or that allows itself to be driven, by defeats or misfortunes, into a surrender of any material part of its rights.

The

¹ *Parcere subjectis et debellare superbos.*

The measure of the Roman conquests, in the beginning of the seventh century of Rome, though great, was yet far from being full ; and the People had not hitherto relaxed the industry, nor cooled in the ardour with which prosperous nations advance, but which they frequently remit in the height of their attainments and in the confidence of invincible power. CHAP.
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The forms of the commonwealth still afforded a plentiful nursery of men for both the civil and military departments ; and the Nation accordingly continued for some time to advance with a rapid and irresistible pace in the career of its conquests. In-
somuch that, at every step to be made in the period which follows, mighty kingdoms were annexed to the Empire, with as much or more facility than villages and single fields had been formerly gained.

But the enlargement of their territory, and the success of their arms abroad, became the sources of a ruinous corruption at home. The wealth of provinces began to flow into the city, and filled the coffers of private citizens, as well as those of the commonwealth. The offices of State and the command of armies were become lucrative as well as honourable, and were coveted on the former account. In the State itself the governing and the governed felt separate interests, and were at variance, from motives of avarice, as well as ambition ; and, instead of the parties who formerly strove for distinction, and for the palm of merit in the service

CHAP. IX. vice of the commonwealth, factions arose, who contended for the greatest share of its spoils, or who sacrificed the public to their party-attachments or feuds.

Two hundred and thirty years had elapsed since the animosities of Patrician and Plebeian were extinguished by the equal participation of public honours. This distinction itself was in a great measure obliterated, and gave way to a new one, which, under the denomination of Nobles and Commons, or Illustrious and Obscure, without involving any legal disparity of privilege, gave rise to an aristocracy, which was partly hereditary, founded in the repeated succession to honours in the same family; and partly personal, founded in the habits of high station, and in the advantages of education and wealth, such as never fail to distinguish the conditions of men in every great and prosperous state.

These circumstances conferred a power on the Nobles, which, though less invidious, was not less real than that which had been possessed by the ancient Patricians. The exercise of this power was lodged with the Senate, a body which, though by the emulation of its members too much disposed to war, and ambitious of conquest, was probably never surpassed in magnanimity, ability, or in steadiness of conduct, by any council of State whatever.

The People had submitted to the Senate, as possessed of an authority which was founded in the prevailing opinion of their superior worth; and even

even the most aspiring of the Commons allowed CHAP.
IX.
 themselves to be governed by an order of men, amongst whom they themselves, by proper efforts and suitable merit, might hope to ascend. The examples of preferment, and the rise of individuals from the lowest to the highest ranks of the commonwealth, though for the most part received with some degree of jealousy by those who were already in possession of the higher condition, were nevertheless frequent, and extinguished all appearance of an exclusive pretension to the honours of the State in any order or class of the People.

The Knights, or those of the Equestrian order, being persons possessed of estates or effects of a certain valuation¹, formed between the Senate and the People an intermediate rank, which, in consequence of their having a capital, and of their being less engaged than the Senators in affairs of State, became traders, contractors, farmers of the revenue, and in this manner constituted a species of moneyed interest in the city, and in the provinces.

Such, during the latter part of the period of which the events have been already related, was the distribution of rank in this commonwealth. But circumstances which appear to be fixed in the political condition of nations, are often little more than a remove in the shifting of scenes, or a transition from that which a people have been, to what they are about to become. The nobles began to avail themselves of the high authority and advantages

¹ 400,000 Roman money, or about 3,000 l.

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advantages of their station, and to accumulate property as well as honours. The country began to be overspread with their plantations and their slaves. The number of great landed estates, and the multiplication of slaves kept pace together. This manner of stocking their country possessions was necessary or expedient in the circumstances of this people: for if the Roman citizen, who, even though poor, possessed so much consequence in his military and political capacity, had been willing to become a hireling and a servant, yet it was not the interest of masters to intrust their affairs to persons who were liable to be pressed into the legions, or who were so often called away to the comitia and assemblies of the People.

Persons of ability contended for offices in the State as the road to lucrative appointments; and when they had obtained this end, and had reigned for a while in their province abroad, brought back from their governments a profusion of wealth ill acquired, and the habit of arbitrary and uncontrolled dominion. When disappointed in the pursuit of riches abroad, they became the leaders of dangerous factions at home; or when suddenly possessed of great wealth, they became the agents of corruption to disseminate idleness, and the love of ruinous amusements, in the minds of the People.

The seclusion of the Equestrian order from the attainment of certain political emoluments or rank, and the opportunities they had, by contracts and by farming the revenue, to improve their fortunes

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in a different way, confirmed them in the habits of trade, and the attention to lucrative considerations. CHAP.
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The city was gradually crowded with a populace, who, tempted with the cheap or gratuitous distribution of corn, by the frequency of public shews, by the consequence they enjoyed as members of the popular assemblies, or perhaps dislodged from the country by the engrossers of land, and by the preference which was given to the labour of slaves over that of freemen, flocked from the colonies and municipal towns to reside at Rome. There they were corrupted by idleness and indigence, and the very order of citizen itself was continually debased by the frequent accession of emancipated slaves.

The Romans, who were become so jealous of their prerogative as citizens, had no other way of disposing of a slave, who had obtained his freedom, than by placing him on the rolls of the People; and from this quarter accordingly the numbers of the People were chiefly recruited. The emancipated slave took the name of his master, became a client, and a retainer of his family; and at funerals and other solemnities, where the pomp was distinguished by the number of attendants, made a part of the retinue. This class of men accordingly received continual additions, from the vanity or weakness of those who chose to change their slaves into dependent citizens; and numbers who had been conducted to Rome as captives,

CHAP. IX. or who had been purchased in Asia or Greece, at a price proportioned to the pleasurable arts they possessed, became an accession to that turbulent populace, who, in the quality of Roman citizens, tyrannized in their turn over the masters of the world, and wrecked on the conquerors of so many nations the evils which they themselves, by their usurpations, had so freely inflicted on mankind¹.

Citizens of this extraction indeed, could not for ages arrive at any places of trust, in which they could, by their personal defects, injure the commonwealth; but they increased, by their numbers and their vices, the weight of that dreg, which, in great and prosperous cities, ever sinks, by the tendency of vice and misconduct, to the lowest condition. They became a part of that faction, who, being meanly debased, are actuated by envy to their superiors, by mercenary views, or by abject fear; who are ever ready to espouse the cause of any leader against the restraints of public order; disposed to vilify the most respectable ranks of men; and by their own indifference on the subjects of justice or honour, are able to frustrate every principle, beside those of force and terror, that may be employed for the government of mankind.

Although citizens of this description were yet far from being the majority at Rome, yet it is probable that they were in numbers sufficient to contaminate the whole body of the People; and, if enrolled promiscuously in all the tribes, might have had great

¹ Velleius, lib. ii. c. 4.

great weight in turning the scale of political coun- CHAP.
IX.
cils. This effect, however, was happily prevented by the wise precaution which the Censors had taken to confine all citizens of mean or slavish extraction to four of the Tribes. These were called the Tribes of the City, and formed but a small proportion of the whole¹.

Notwithstanding this precaution, we must suppose them to have been very improper members in the participation of government, and by their numbers likely enough to disturb the place of assembly with disorders and tumults.

While the State was advancing to the sovereignty of Italy, and while the territories successively acquired were cleared for the reception of Roman citizens, by the reduction and captivity of the natives, there was an outlet for the redundancy of this growing populace, and its overflowings were accordingly dispersed over the peninsula, from Rhegium to Aquileia, in about seventy colonies. But the country being now completely settled, and the property of its inhabitants established, it was no longer possible in this manner to provide for the indigent citizens; and the practice of settling new colonies, which had been so useful in planting, and securing the conquests which were made in Italy, had not yet been extended beyond this country, nor employed as the means of securing

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¹ Liv. lib. ix. c. 46. When this precaution was taken by Fabius Maximus, the Tribes amounted to thirty-one. See the successive additions by which the Tribes were brought up to this number, Liv. lib. vi. c. 5. Plin. lib. c. 15. lib. viii. c. 17. lib. ix. c. 20.

CHAP. any of the provinces lately acquired. Mere co-
 IX. lonization, indeed, would have been an improper
 and inadequate measure for this purpose ; and in
 the time of the republic never was, in any considerable degree, extended beyond the seas. Provinces so remote, placed under military government, and were to be retained in submission by bodies of regular troops. Roman citizens were not inclined to remove their habitations beyond the limits of Italy ; and if they had been so inclined, would not have been fit, in the mere capacity of civil corporations and pacific settlements, to carry into execution against the natives, the exactions of a government which they themselves, if now become inhabitants and proprietors of land in those provinces, would have been equally interested to oppose : for these reasons, although the Roman territory was greatly extended, the resources of the poorer citizens were diminished. And the former discharge for many dangerous humours which arose among the people being in some measure shut up, these humours began to re-
 gorge on the State.

While the inferior people at Rome sunk in their characters, or were debased by the circumstances we have mentioned, the superior ranks, by their application to affairs of State, by their education, by the supposed elevation of birth and family-distinction, by the superiority of fortune, began to rise in their consideration, in their pretensions, and in their power ; and they entertained some degree of contempt for persons, whom the laws still re-
 quired

quired them to admit as their fellow-citizens and equals. In this disposition of parties so dangerous in a commonwealth, and amidst materials so likely to catch the flame, some sparks were thrown that soon kindled up anew all the civil animosities which seemed to have been so long extinguished.

We have been carried, in the preceding narration, by the series of events, somewhat beyond the date of transactions that come now to be related. While Scipio was employed in the siege of Numantia, and while the Roman officers in Sicily were yet unable to reduce the revolted slaves, Tiberius Gracchus, born of a Plebeian family, but ennobled by the honours of his father, by his descent on the side of his mother from the first Scipio Africanus, and by his alliance with the second Scipio, who had married his sister, being now Tribune of the People, and possessed of all the accomplishments required in a popular leader, great ardour, resolution, and eloquence, formed a project in itself extremely alarming, and in its consequences dangerous to the very being of the State.

Like other young men of high pretensions at Rome, Tiberius Gracchus had begun his military service at the usual age, had served with reputation under his brother-in-law, Scipio, at the siege of Carthage, afterwards as Quæstor, under Mancinus in Spain, where the credit of his father, well known in that province, pointed him out to the natives as the only person with whom they would

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negociate in the treaty that ensued. But the disgrace he incurred in this transaction gave him a distaste to the military service, and to foreign affairs. When he was called to account for the part he had acted, the severity he experienced from the Senate, and the protection he obtained from the People, filled his breast with an animosity to the one, and gave him a prepossession in favour of the other¹.

Actuated by these dispositions, or by an idea not uncommon to enthusiastic minds, that *the unequal distribution of property, so favourable to the rich, is an injury to the poor*; he now proposed in part to remedy, or to mitigate this supposed evil; by reviving the celebrated law of Licinius, by which Roman citizens had been restrained from accumulating estates in land above the measure of five hundred jugera², or from having more than one hundred of the larger cattle, and five hundred of the less.

In his travels through Italy, he said, it appeared that the property of land was beginning to be engrossed by a few of the nobles, and that the country was entirely occupied by slaves to the exclusion of freemen: that, if proper settlements were not provided to enable the poor to support their families, and to educate their children, the race of Roman citizens would soon be extinct³; and

¹ Cicero de Claris Oratoribus, c. 27.

² Little more than half as many acres.

³ Plutarch, in Tib. Gracch.

and he alleged, that if estates in land were reduced to the measure prescribed by law, the surplus if properly distributed, would be sufficient to avert this evil. CHAP.
IX.

Being determined however, as much as possible, to prevent opposition from the nobles, and to reconcile the interest of both parties to his scheme, he proposed to make some abatement in the rigour of the Licinian law, allowing every family, holding five hundred jugera in right of the father, to hold half as much in the right of every unemancipated son; and proposed, that every person who should suffer diminution of his property in consequence of the intended reform, should have compensation made to him; and that the sum necessary for this purpose should be issued from the treasury.

In this manner he set out with an appearance of moderation, acting in concert with some leading men in the State and members of the Senate, such as Appius Claudius, whose daughter he had married, a Senator of the family of Crassus, who was then at the head of the priesthood, and Mutius Scævola, the Consul.

To complete the intended reformation, and to prevent for the future the unwarrantable accumulation of estates, he proposed from thenceforward, to prohibit all purchase and sale, or commerce in land, and to have three commissioners annually named, for the execution and regular observance of this law.

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This project, however plausible, it is probable, was extremely unseasonable, and ill suited to the state of the commonwealth. The law of Licinius had passed in the year of Rome three hundred and seventy-seven, no more than fourteen years after the city had been restored from its destruction by the Gauls, or about two hundred and fifty years before this date; and though properly suited to a small republic, and even necessary to preserve a democracy, was, in that condition of the People, received with difficulty, and was soon trespassed upon even by the person himself on whose suggestion it had been moved and obtained: that it was become obsolete, or no longer in force, appeared from the very abuses which were now complained of, and to which its renewal was proposed as a remedy. It was become in a great measure impracticable, and even dangerous in the present state of the people. The distinctions of poor and rich, in States of any considerable extent, are as necessary as labour and good government itself. The poor being destined to labour, the rich, by the advantages of education, independence, and leisure, are qualified for public affairs. And the empire being now greatly extended, owed its safety and the order of its government to a respectable aristocracy, founded on the distinctions of fortune, as well as personal qualities, or the merit of national service. The rich were not, without some violent convulsion, to be stripped of estates which they themselves had acquired by industry, or which, so originally acquired,

acquired; they had inherited from their ancestors. CHAP. IX.
 The poor were not qualified at once to mix with persons of a better education, and inured to a better condition. The project seemed to be as ruinous to government as it was to the security of property, and tended to place the members of the commonwealth, by one rash and precipitate step, in situations in which they were not qualified to act.

For these reasons, as well as from motives of private interest affecting the majority of the nobles, the project of Tiberius was strenuously opposed by the Senate; and from motives of envy, interest, or mistaken zeal for justice, as warmly supported by the opposite party. At the several assemblies of the People which were called to deliberate on this subject, Tiberius, exalting the characters of freemen contrasted with slaves, displayed the copious and pathetic eloquence in which he excelled. All the free inhabitants of Italy were Romans, or nearly allied to this people. He observed how much, being supplanted by the slaves of the rich, they were diminished in their numbers. He inveighed against the practice of employing slaves, a class of men that bring perpetual danger, without any addition of strength to the public, and who are ever ready to break forth in desperate insurrections, as they had then actually done in Sicily, where they still occupied the Roman arms in a tedious and ruinous war¹.

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¹ Appian. de Bell. Civ.

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In declaiming on the mortifications and hardships of the indigent citizen, he had recourse to the ordinary topics of indignation or pity. "Every wild beast," he said, "in this happy land has a cover or place of retreat. But many valiant and respectable citizens, who have exposed their lives, and who have shed their blood in the service of their country, have not a home to which they may resort. They wander with their wives and their children, stripped of every possession, but that of the air and the light. To such men the common military exhortation, to *fight for the tombs of their fathers, and for the altars of their household gods*, is a mockery and a lie. They have no altars; they have no monuments. They fight and they die to augment the estates, and to pamper the luxury of the few who are wealthy, and who have engrossed all the riches of the commonwealth. As citizens of Rome, they are intitled *the masters of the world*, but possess not a foot of earth on which they may rest."

He asked, "whether it were not reasonable to apply what was public to public uses? whether a freeman were not preferable to a slave, a brave man to a coward, and a fellow-citizen to a stranger? He expatiated on the fortune, and stated the future prospects of the republic. Much," he said, "she possessed, and had yet more to acquire: that the People, by their decision in the present

“ present question were to determine, whether
 “ they er, by multiplying their numbers, to
 “ strengthen the community, and put themselves
 “ in condition to conquer what yet remained of
 “ the world? or, by suffering the resources of the
 “ whole People to go into the hands of a few, they
 “ were to permit their numbers to decline, and
 “ against nations envious and jealous of their
 “ power, to become unable even to maintain the
 “ ground they already had gained?

“ He exhorted the present proprietors of land,
 “ whom the law of division might affect, not to
 “ withhold, for the sake of a trifling interest to
 “ themselves, so great an advantage from their
 “ country. He bade them consider whether they
 “ would not, by the secure possession of five hun-
 “ dred jugera, and of half as much to each of
 “ their children, be sufficiently rewarded for the
 “ concessions now required in behalf of the pub-
 “ lic; he put them in mind that riches were mere-
 “ ly comparative; and that, in respect to this ad-
 “ vantage, under the intended reform, they were
 “ still to remain in the first rank of their fellow-
 “ citizens.”

By these and similar arguments he endeavoured to obtain the consent of one party, and to inflame the zeal of the other. But when he came to propose, that the law should be read, he found that his opponents had availed themselves of their usual defence; by procuring M. Octavius, another of the Tribunes,

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Tribunes, to interpose with his negative, and to forbid any farther proceeding in the business. Here; according to the forms of the constitution, this matter should have dropped. The Tribunes were instituted to defend their constituents, to secure their possessions; and to prevent, not to promote innovations. No power in the State could proceed without their consent, express or tacit, and every single Tribune had a negative on the whole. But Tiberius, thus suddenly checked in his career, became the more impetuous or confirmed in his purpose. Having adjourned the assembly to another day, he prepared a motion more violent than the former, in which he erased all the clauses by which he had endeavoured to soften the hardships likely to fall on the rich. He proposed, that, without expecting any compensation, they should content themselves with the proposed measure of land, and absolutely cede the surplus of their possessions, as having been obtained by fraud or injustice.

In this time of suspense, the controversy began to divide the colonies and free cities of Italy, and was warmly agitated wherever the citizens had extended their property. The rich and the poor took opposite sides. They collected their arguments, and they mustered their strength. The first had recourse to the topics which are commonly employed on the side of prescription, urging that, in some cases, they had possessed their estates from time immemorial; and that the lands they possessed were become valuable, only in consequence of the industry

industry and labour which they themselves had employed to improve them : that, in other cases, they had actually bought their estates : that the public faith, under which they were suffered to purchase, was now engaged to protect and secure their possession : that, in reliance on this faith, they had erected, on these lands, the sepulchres of their fathers ; they had pledged them for the dowries of their wives and the portions of their children, or had given them in mortgage as security for the debts they had contracted : that a law regulating or limiting the farther increase or accumulation of property might be suffered ; but that an act, having a retrospect, and operating in violation of the rights, and to the ruin of so many families, was no less unjust, than impracticable in the execution.

The poor, on the contrary, pleaded their own indigence and their merits ; urged that they were no longer in a capacity to fill the station of Roman citizens or of freemen, nor in a condition to settle families or to rear children, the future hopes of the commonwealth : that no private person could plead immemorial possession of lands which had been acquired for the public. They enumerated the wars which they themselves, or their ancestors, had maintained in the conquest of those lands. They concluded, that every citizen was entitled to his share of the public conquests ; and that the arguments which were urged to support the possessions of the rich, only tended to shew how presumptuous

CHAP. IX. tuous and insolent such usurpations, if suffered to remain, were likely to become.

This mode of reasoning appears plausible; but it is dangerous to adopt by halves, even reason itself. If it were reasonable that every Roman citizen should have an equal share of the conquered lands, it was still more reasonable, that the original proprietors, from whom those lands had been unjustly taken, should have them restored. If, in this, the maxims of reason and justice had been observed, Rome would have still been a small community, and might have acted with safety on the principles of equality, which are suited to a small republic. But the Romans, becoming sovereigns of a great and extensive territory, must adopt the disparities, and submit to the subordinations, which mankind in such situations universally have found natural, and even necessary, to their government.


Multitudes of people from all parts of Italy, some earnestly desirous to have the law enacted, others to have it rejected, crowded to Rome to attend the decision of the question; and Gracchus, without dropping his intention, as usual, upon the negative of his colleague, only bethought himself how he might surmount, or remove this obstruction.

Having hitherto lived in personal intimacy with Octavius, he tried to gain him in private; and having failed in this attempt, he entered into expostulations with him, in presence of the public assembly; desired to know, whether he apprehended that his own estate would be impaired in consequence

quence of the intended law; for if so, he offered to indemnify him fully in whatever he might suffer by the execution of it: and being still unable to shake the resolution of this Tribune, who was supported by the countenance of the Senate and the higher ranks of men in the State, he determined to try what the negative force of the whole order of Tribunes could do to compel a compliance with their wishes; he accordingly laid the State itself under a general interdict, sealed up the doors of the Treasury, suspended proceedings in the courts of the Prætors, and put a stop to all the other functions of office in the city.

All the nobility and superior class of the People went into mourning. Tiberius, in his turn, endeavoured to alarm the passions of his party; and believing, or pretending to believe, that he himself was in danger of being assassinated, had a number of persons with arms to defend his person.

While the city was in this state of suspense and confusion, the Tribes were again assembled, and Tiberius, in defiance of the negative of his colleague, was proceeding to call the votes, when many of the People, alarmed by this intended violation of the sacred law, pressed in great numbers before the Tribe that was moving to ballot, and seized the urns. A great tumult was likely to arise. The popular party, being most numerous, were crowding around their leader, when two Senators, Manlius and Fulvius, both of consular dignity, fell at his feet, embraced his knees, and beseeched

CHAP. IX.  fceeched him not to proceed. Awed by the respect which was due to persons of this rank, as with the sense of some impending calamity, he asked, What they would have him to do? "The case," they said, "is too arduous for us to decide; refer it to the Senate, and await their decree."

Proceedings were accordingly suspended until the Senate had met, and declared a resolution not to confirm the law. Gracchus resumed the subject with the People, being determined either to remove, or to flight the negative of his colleague. He proposed, that either the refractory Tribune, or himself, should be immediately stript of his dignity. And that he might not appear to anticipate the decision, desired that Octavius should put the question first, Whether Tiberius Gracchus should be degraded? This being declined by the opposite party as irregular and vain, he declared his intention to move in the assembly, on the following day; That Octavius should be divested of the character of Tribune.

Hitherto all parties had proceeded agreeably to the laws and constitution of the commonwealth; but this motion, to degrade a Tribune, by whatever authority, was equally subversive of both. The person and dignity of a Tribune, in order that no force might interrupt him in the cause of the People, whether offered by any private person, by the public magistrate, or even by the People themselves, was guarded by the most sacred vows. His person therefore, during the term assigned to his office,

office, was inviolable ; and so long his functions were irresistible, or without his own consent could not be suspended by any power whatever.

The assembly being met, in consequence of the alarming adjournment of the preceding day, Tiberius, still willing to respect the sacred law, renewed his prayer to Octavius to withdraw his negative ; but not prevailing in this request, the Tribes were directed to proceed. The votes of seventeen were already given to *degrade*. In taking those of the eighteenth, which would have made a majority, the Tribunes made a pause, while Tiberius again addressed his colleague, embraced him, and, with a voice to be heard by the multitude of the People, beseeched him to spare himself the indignity, and others the regret, of so severe, though necessary, a measure. Octavius shook : but encouraged by the presence of so many Senators, who were ready to support him, recovered his resolution, and bid Tiberius proceed as he thought proper. The votes of the majority were accordingly declared, and Octavius, reduced to a private station, was dragged from the Tribunes bench, and exposed to the rage of the populace. Attempts were made on his life, and a faithful slave, who placed himself in the way to defend his master, was dangerously wounded ; but a number of the more respectable citizens interposed, and Tiberius himself was active in favouring his escape.

This obstacle being removed, the act so long depending, for making a more equal division of lands,

Lex Sem-
pronio.

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lands, was passed; and three commissioners, Tiberius Gracchus, Appius Claudius, his father-in-law, and his brother, Caius Gracchus, then a youth serving under Publius Scipio at the siege of Numantia, were named to carry the law into execution.

This act, as it concerned the interest of almost every inhabitant of Italy, immediately raised a great ferment in every part of the country. Persons holding considerable estates in land were alarmed for their property. The poor were elated with the hopes of becoming suddenly rich. If there were a middling class not to be greatly affected in their own situation, they still must have dreaded the effects of a contest between such parties. The Senate endeavoured to delay the execution of the law, withheld the usual aids and appointments given to commissioners of the People in the ordinary administration of public trusts, and waited for a fit opportunity to suppress entirely this hazardous project. Parties looked on each other with a gloomy and suspicious silence. A person, who had been active in procuring the Agrarian law, having died in this critical juncture, his death was alleged to be the effect of poison administered by the opposite party. Numbers of the people, to countenance this invidious report, went into mourning; even Gracchus, affecting to believe a like design to be forming against himself, appeared, with his children and their mother, as suppliants in the streets, and implored the protection

protection of the People. Still more to interest their passions in his safety, he published a list of the acts which he then had in view, all tending to gratify the populace, or to mortify the Senate. Attalus, king of Pergamus, having, about this time, bequeathed his dominions and his treasure to the Romans, Gracchus procured an act to transfer the administration of this inheritance from the Senate to the popular assembly; and to distribute the money found in the treasury of Pergamus to the poorer citizens, the better to enable them to cultivate and to stock the lands with which they were soon to be invested. He obtained another act to circumscribe the power of the Senate, by joining the Equestrian order with the Senators in the nomination to juries, or in forming the occasional tribunals of justice.

These, with the preceding attempts to abolish or to weaken the aristocratical part of the government, were justly alarming to every person who was anxious for the preservation of the State. As the policy of this tribune tended to substitute popular tumults for sober councils and a regular magistracy, it gave an immediate prospect of anarchy, which threatened to end in some violent usurpation. The sacred character which he had recently violated, served, on occasion, to check the caprice of the People themselves, as well as to restrain the abuse of executive government. And the power which the people had now assumed, was likely to render the office entirely unfit for the first of these purposes, or tended rather to make the Tri-

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bune an instrument for hastening the effect of popular violence, instead of a drag chain to the wheels of government, as was intended, to impede ill-advised or impetuous measures of any sort. Tiberius heard himself arraigned in the streets, and in every public assembly, for the violation of the sacred law. "If any of your colleagues," said Titus Annius (whom he prosecuted for a speech in the Senate), "should interpose his negative in my behalf, would you have him also degraded?"

The People in general began to be sensible of the enormity they themselves had committed, and Tiberius found himself under a necessity of pleading for the measure he had taken, after it had been carried into execution. The person of a Tribune, he observed, was sacred; because it was consecrated in right of the People, whom the Tribunes represented; but if this officer, inconsistent with his character, should injure where he was appointed to protect, should weaken a claim he was appointed to enforce, and withhold from his constituents that power of decision which he was appointed to guard, the person so offending, not the People, was to blame for the consequences.

"Other crimes," he said, "may be enormous, yet may not destroy the essence of the Tribunician character. An attempt to demolish the Capitol, or to burn the fleets of the republic, might excite an universal and just indignation, without rendering less sacred the person of a Tribune involved in such guilt. But

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“ an attempt to subvert the very authority from
 “ which his own is derived, and to frustrate a CHAP.
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 “ power which is vested in him merely for its bet-
 “ ter exertion, is a voluntary and criminal abdica-
 “ tion of his trust. What is the Tribune but an
 “ officer of the People? Strange! that this officer
 “ may, by virtue of authority derived from the
 “ People, drag even the Consul himself to prison,
 “ and yet that the People themselves cannot with-
 “ draw their trust, when the person who bears it
 “ is about to annul the very authority by which
 “ he himself is appointed.

“ Was ever any function more sacred than that
 “ of king? It involved in itself the prerogatives
 “ of every magistrate, and was likewise consecra-
 “ ted by holding the priesthood of the immortal
 “ gods. Yet did not our ancestors expel Tar-
 “ quin? and thus, for the offence of one man,
 “ abolish that primitive form, under the auspices
 “ of which the foundations of this city were laid.

“ What more sacred at Rome than the persons
 “ of the Vestal Virgins, who have the custody of
 “ the holy fire? Yet are they not for slight offen-
 “ ces sometimes buried alive? Impiety to the
 “ gods being supposed to cancel a title which re-
 “ verence to the gods had conferred, must not in-
 “ juries to the People suppress an authority which
 “ a regard to the People has constituted?

“ That person must fall, who himself removes
 “ the base on which he is supported. A majority
 “ of the Tribes may consecrate a Tribune; Can-

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“ not the whole degrade? What more sacred than
“ the things which are dedicated at the shrines of
“ the immortal gods? yet these the People may
“ employ or remove at pleasure. Why not trans-
“ fer the Tribunate, as a consecrated title, from
“ one person to another? May not an august
“ assembly of the People, by their sovereign au-
“ thority, do what every person in this sacred office
“ is permitted to do for himself, when he resigns
“ or abdicates his power by a simple expression of
“ his will.”

These specious arguments tended to introduce the plea of necessity where there was no foundation for it, and to set the sovereign power, in every species of government, loose from the rules which itself had enacted. Such arguments accordingly had no effect where the interest of the parties did not concur to enforce them. Tiberius felt his credit begin to decline. He was publicly menaced with impeachment, and had given sufficient provocation to make him apprehend that, upon the expiration of his office, some violence might be offered to his person¹. It was guarded only by the sacred character of Tribune which he bore. The first step he should make in the new character he was to assume, as commissioner for the division of lands, was likely to end his life. He therefore resolved, if possible, to take shelter in the Tribunate for another year, and, in order to procure this favour from the People, gave farther expectations of popular acts; of one to shorten the term of military service,

¹ Orosius, lib. v. c. 8.

service, and of another to grant an appeal to the People from the courts of justice lately established. CHAP.
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The Senate, and every citizen who professed a regard to the forms of State, were alarmed. This attempt, they said, to perpetuate the Tribunitian character in the same person, tends directly to establish an arbitrary power. With a person inviolable, and a lawless multitude to support him, an usurper will have no bar to restrain him, and no danger to fear; and his retainers, together with the property of our lands, to which they already aspire, will make themselves masters of the State. The leader, in this dangerous train of measures, it seems, like every other tyrant, already conceives that his safety depends upon the continuance of his power.

In this feverish state of suspense and anxiety, great efforts of faction were made. The time of electing the Tribunes was fast approaching: but Roman citizens, dispersed on their lands throughout Italy, being engaged in the harvest, could not repair to the city. On the day of election the assembly was ill attended, especially by those who were likely to favour Tiberius. As he was rejected by the first Tribes that moved to the ballot, his friends endeavoured to amuse the assembly with forms, and to protract the debates, till observing that the field did not fill, nor the appearance change for the better, they moved to adjourn to the following day.

In this recess Tiberius went into mourning, appeared in the streets with his children, and, in be-

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half of hapless infants, who might already be considered as orphans, on the eve of losing their parent in the cause of freedom, implored the public protection; gave out that the party of the rich, to deprive the People of their choice, had determined to force their way into his house in the night, and to murder him. Numbers were deeply affected by these representations: a multitude crowded to his doors, and watched all night in the streets.

On the return of morning and the approach of the assembly, the declining appearance of his affairs suggested presages; and the superstition of the times has furnished history with the omens, by which himself and his friends were greatly dismayed. He, nevertheless, with a crowd of his partizans, took his way to the Capitol, where the Tribes had been appointed to assemble. His attendants multiplied as he passed, and numbers from the assembly descended the steps to receive him. Upon his entry a shout was raised, and his party appeared sufficiently strong, if not to prevail in their choice, perhaps by their violence to deter every citizen of a different mind from attending the election.

A chosen body took post round the person of the candidate, with intention to suffer no stranger to approach him; and a signal was agreed upon, in case it were necessary to employ force. Mean time the Senators, on their part, were hastily convened in the Temple of Faith, and in anxious deliberation on the measures to be followed.

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When the first tribe were delivering their votes, a confusion arose in the crowd. Numbers from the more distant parts of the assembly began to press forward to the centre. Among others, Fulvius Flaccus, a Senator yet attached to Tiberius, being at too great a distance to be heard, beckoned with his hand that he would speak with the Tribunes. Having made his way through the multitude, he informed Tiberius, that a resolution was taken in the Senate to resist him by force; and that a party of Senators, with their clients and slaves, was arming against his life. All who were near enough to hear this information, took the alarm, snatched the staves from the officers who attended the assembly, and tucked up their robes as for immediate violence. These movements being perceived from a distance, many called out to know the cause, but no distinct account could be heard. Tiberius, having in vain attempted to speak, made a sign, by waving his hand round his head, that his life was in danger. This sign, together with the hostile and menacing appearances that gave rise to it, being instantly reported in the Senate, and interpreted as a suggestion made to the People, that their favourite leader should be crowned, or that he should assume the sovereignty, the Senate immediately resolved, in a form that was usual on alarming occasions, that the Consul should provide for the safety of the State. This resolution was supposed to confer a discretionary power, and was adopted only when summary proceedings and immediate execution were

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CHAP. IX. deemed to be necessary, and when there was not time for the formalities observed in naming a Dictator. The Consul Mucius Scaevola had been in concert with Tiberius in drawing up the first frame of his law, and although he had now probably left him in the extremes to which he proceeded; yet, on receiving this charge, declined to employ force against a Tribune of the People, or to disturb the Tribes in the midst of their legal assembly. "If they shall come," he said, "to any violent or illegal determination, I will employ the whole force of my authority to prevent its effects."

In this expression of the Consul there did not appear to the audience a proper disposition for the present occasion. The laws were violated: A desperate party was prepared for any extremes: All sober citizens, and even many of the Tribunes, had fled from the tumult: The Majesty of Rome was insulted even in the Capitol, and the priests of Jupiter had shut the gates of their temple: The laws, it was said, ought to govern; but the laws cannot be pleaded by those who have set them aside, and they are no longer of any avail, unless they are restored by some exertion of vigour, fit to counteract the violence that has been offered to them. "The Consul," said Scipio Nasica, "deserts the republic; let those who wish to preserve it, follow me." At these words, the Senators arose, and moving in a body, which, by the concurrence of their clients, increased as they went, seizing the shafts of the fasces,

falces, or tearing up the benches in their way, with their robes wound up, in place of shields, on their left arm, they broke into the midst of the assembly of the People.

Tiberius, though surrounded by numbers, found his party unable to resist the awe with which they were struck by the approach of the Senate, and in presence of all that was noble or revered in the commonwealth. The few who resisted were beat to the ground. He himself, while he fled, being seized by the robe, let it slip from his shoulders and continued his flight; but stumbling in the crowd, while he attempted to recover himself, was slain with repeated blows. His body, as being that of a tyrant, together with the killed of his party, amounting to about three hundred, considered as accomplices in a treasonable design against the republic, were denied the honours of burial, and thrown into the river. Some of the most active of his partisans that escaped, were afterwards cited to appear, and were outlawed, or in absence condemned.

Thus, in the heats of this unhappy dispute, both the Senate and the People had been carried to acts of violence that insulted the laws and constitution of their country. This constitution was by no means too strict or formal to contend with such evils; for, besides admitting a general latitude of conduct scarcely known under any other political establishment, it had provided expedients for great and dangerous occasions, which were sufficient to extricate the commonwealth from greater extremities

CHAP. ties than those to which it had been reduced in the
 IX. course of this unfortunate contest.

The Popular Faction on their part had greatly erred ; for the People, when restrained from their object by the negative of one of their own Tribunes, had only to wait for the expiration of his office, when, by a new election, they might so model the college as to be secure of its unanimous consent in the particular measures to which they were then inclined. The precipitant violation of the sacred law, a precedent which, if followed, must have rendered the Tribunes mere instruments of popular violence, not safeguards from oppression, filled the minds of many in their own party with remorse and horror, and gave to the Senate and Nobles a dreadful apprehension of what they were to expect from a multitude capable of such a profane and violent extreme. The policy of Tiberius, at the head of this multitude, the laws he had obtained, his own re-election to secure the execution, and the sequel of his plan, seemed to threaten the republic with distraction and anarchy, likely to end in his own usurpation, or in that of some more artful demagogue. But even under these gloomy expectations the Senate on the other hand, by naming a Dictator, or by the commission which they actually gave to the Consul, could have had recourse to a legal preventive, and might have repelled the impending evil by measures equally decisive and powerful, though more legal than those they employed. But the Consul, it seems, was suspected of

of connivance with the opposite party, had moved indignation proportioned to the coldness with which he received his own commission, and could not be intrusted with the choice of a Dictator, even if the occasion could have admitted of the delay necessary for that purpose.

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In these extremities, the violent resolution that was taken by the Senate to them appeared to be necessary; and probably for the present saved the republic; preserved it indeed, not in a sound, but in a sickly state, and in a fever, which, with some intermissions, at every return of similar disorders, threatened it with the dissolution and ruin of its whole constitution.

The disorders that arise in free States which are beginning to corrupt, generally furnish very difficult questions in the casuistry of political law. Even the struggles of virtuous citizens, because they do not entirely prevent, are sometimes supposed to hasten, the ruin of their country. So the violence of the Senate, on this occasion, by which they pleaded that the State was preserved, was by many considered with aversion and horror. The subversion of government, that was likely to have followed the policy of Gracchus, because it did not take place, was overlooked; and the restitution of order, effected by the Senate, appeared to be a tyranny established in blood. The Senators themselves were struck with some degree of remorse, and what is dangerous in politics, took a middle course between the extremes. They were cautious not to
inflamm

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inflame animosities, by any immoderate use of their late victory. They even wished to atone for the violence done to the author of the Agrarian Law, by seeming to acquiesce in the execution of it. They permitted Fulvius Flaccus and Papirius Carbo, two of the most daring leaders of the popular faction, to be elected commissioners for that purpose, in the room of Tiberius and Appius Claudius, of whom the latter also died about this time; and, in order to stifle animosities and resentments, consented that, under pretence of an embassy to Pergamus, Scipio Nasica should be removed from Rome. In consequence of this commission, this illustrious citizen, the lineal descendant of one of the Scipios who perished in Spain in the time of the second Punic war, himself an ornament to the republic, died in a species of exile, though under an honourable title.

In the midst of such agitations, foreign affairs were likely to be much overlooked. They proceeded, however, under the conduct of the officers to whom they were intrusted, with the usual success; and the Senate, having the reports made nearly about the same time, of the pacification of Lufitania, the destruction of Numantia, and the reduction and punishment of the slaves in Sicily, named commissioners to act in conjunction with the generals commanding in those several services, in order to settle their provinces.

Brutus and Scipio had their respective triumphs; one with the title of Galaicus, for having reduced
the

the Gallicians ; the other, still preferring his former title of a second Africanus to that of Numantinus, which was offered to him for the sack of Numantia.

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The arrival of this respectable citizen was anxiously looked for by all parties, more to know what judgment he might pass on the late operations at Rome, than on account of the triumph he obtained over enemies once formidable to his country. He was the near relation of Gracchus, and might, under pretence of revenging the death of that demagogue, have put himself at the head of a formidable party. He was himself personally respected and beloved by numbers of the citizens, who had carried arms under his command, who were recently arrived in Italy crowned with victory, and who might possibly, under pretence of vindicating the rights of the People, employ their arms against the republic itself. But the time of such criminal views on the commonwealth was not yet arrived. Scipio already, upon hearing the fate of Gracchus, had expressed, in some words that escaped him, his approbation of the Senate's conduct. " So perish every person," he said, " who shall dare to commit such crimes ". Soon after his arrival from Spain, Papirius Carbo, one of the Tribunes, called upon him aloud, in the assembly of the People, to declare what he thought of the death of Gracchus. " I must think," he said, " that if Gracchus meant to overturn the government of
" his

CHAP. IX. "his country; his death was fully merited." This declaration many of the multitude interrupted with murmurs of aversion and rage. Upon which Scipio, raising his tone, expressed the contempt with which he thought himself entitled to treat this turbulent faction. "I have been accustomed," he said, "to the shout of warlike enemies, and cannot be affected by your dastardly cries." Then alluding to the number of enfranchised slaves that were enrolled with the Tribes of the city, upon a second cry of displeasure, he continued, "Peace, ye aliens and step-children of Italy." "You are now free, but many of you I have brought to this place in fetters, and sold at the halbert for slaves." Some were abashed by the truth, and all by the boldness of this contemptuous reproach, and shewed that popular tumults, though vested with a share in the sovereignty of their country, may sometimes be braved, as well as courted, with success.

The part which Scipio took on this occasion was the more remarkable, that he himself was to be reckoned among the poorer citizens, and might have been a gainer by the rigorous execution of the Licinian law. His whole inheritance, according to Pliny, amounted to thirty-two pounds weight, or three hundred and twenty ounces of silver, which might be valued at about two hundred and eighty pounds of our money.

Papirius Carbo, now at the head of the popular faction,

faction, spent the year of his Tribunate in foment-
 ing the animosities against the Senate, and in pro-
 moting dangerous innovations. He obtained a law,
 by which the votes of the People, in questions of
 legislation as well as election¹, and the opinions of
 the judges in determining causes, were to be taken
 by secret ballot. But was less successful in the mo-
 tion he made for a law to enable the same person to
 be repeatedly chosen into the office of Tribune.
 In this motion he was supported by Caius Gracchus;
 opposed by Scipio, Lælius, and the whole authority
 of the Senate², who dreaded the perpetuating in
 any one person a power, which the sacredness of
 the character, and the attachment of the populace,
 rendered almost sovereign and irresistible.

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 Lex Papiria
 Tabellaria
 Tertia.

While the influence of party was exerted in
 such questions at home, the State was laying
 the foundation of new quarrels abroad, and o-
 pening a scene of depredation and conquest in
 what was then the wealthiest part of the known
 world. Soon after the death of Attalus, king of
 Pergamus, who had bequeathed his kingdom to
 the Romans, Aristonicus, the natural brother of
 that Prince, being the illegitimate son of Eumenes,
 made pretensions to the throne of Pergamus, and
 was supported by a powerful party among the peo-
 ple. But the Romans did not fail to maintain their
 own right: Crassus, one of the Consuls of the pre-
 ceding year, had been sent with an army into Asia
 for

¹ Cic. de Legibus, lib. iii.

² Cic. de Amicitia.

CHAP. for this purpose, but in his first encounter with
 IX. Aristonicus was defeated and taken. He was af-
 U. C. 622. terwards killed while a captive in the hands of the
 enemy; having intentionally provoked one of his
 guards to lay violent hands on him, and thus end-
 ed a life which he thought was dishonoured by his
 preceding defeat.

The following year, the Consul Perperna being
 sent on this service, and having, with better fortune
 than Crassus, defeated and taken Aristonicus, got
 possession of the treasure and kingdom of Attalus,
 but died in his command at Pergamus. From this
 time the Romans took a more particular concern
 than formerly in the affairs of Asia. They em-
 ployed Scipio Emilianus, with Sp. Mummius, and
 L. Metellus, on a commission of observation to that
 country. The equipage of Scipio upon this oc-
 casion is said to have consisted of seven slaves, who,
 for ought we are told, attended him on foot; and
 this, as a mark or characteristic of the times, is
 perhaps more interesting than any other circum-
 stance or result of the embassy. The object of the
 commission appears to have related to Egypt as well
 as to Asia¹, though there was not any power in
 either that seemed to be in a condition to alarm
 the Romans. Ptolemy Euergetes had succeeded to
 the throne of Egypt, but was expelled by the peo-
 ple of Alexandria, Antiochus, king of Syria, had
 been recently engaged in a very unsuccessful war
 with the Parthians; and if the king of Pontus
 were

¹ Valerius Maximus, lib. iv. c. 3.

were more considerable, it had not yet appeared C H A P.
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how far it concerned the republic to observe the motions of that Prince, or to deliberate on the measures to be taken against him for the security of their possessions in Asia.

In whatever degree the Roman embassy found objects worthy of attention in that part of the world, matters were hastening in Italy to a state of great distraction and ferment, on account of the violence with which the Agrarian law was enforced by Papirius Carbo, Fulvius Flaccus, and Caius Gracchus, the commissioners appointed to have it carried into execution. As the law authorised them to call upon all persons possessed of public lands to evacuate them, and submit to a legal division; they, under this pretence, brought in question all the rights of property throughout Italy, took from one and gave to another as suited their pleasure; some suffered the diminution of their estates with silent rage; others complained that they were violently removed from lands which they had cultivated, to barren and inhospitable situations; even they who were supposed to be favoured in the distribution of lots, complained of those they received. Many were aggrieved, none were satisfied.

Scipio, induced by the representations which were made of these abuses, at his return from Asia, made an harrangue in the Senate, by which he drew upon himself an invective from Fulvius, one of the

CHAP. commissioners. He did not propose to repeal the
 IX. law, but moved that the execution of it should
 be taken out of the hands of so pernicious a faction, and committed to the Consul Sempronius Tuditanus, who remained in the administration of affairs in Italy, while his colleague Aquilius had gone to Asia to finish the transaction in the conduct of which Perperna died.

It is mentioned that Scipio, in this speech, complained of threats and insults which had been offered to himself, and this gave occasion to a procession, in which the Senate, followed by a great
 U. C. 624. body of citizens, to testify their abhorrence of such indignities to a person so much respected, attended him from this meeting to his own house. Next morning he was found dead in his bed; but, notwithstanding the suspicions of violence transmitted by different authors, nothing certain appears upon record; and no inquest was ever made to discover the ground of surmises on this subject. This illustrious citizen, notwithstanding his services, had incurred so much the displeasure of the people, that he had not the honours of a public funeral. If he had not died at this critical time, the Senate, it was supposed, meant to have named him Dictator, for the purpose of purging the State of the evils with which it was so much distracted.

The occasion, however, was not sufficient to make the

the Senate, when deprived of this leader, to persist in their intention to name a Dictator; nor is there any thing material recorded as having happened during a few of the following years. Quintus Cæcilius Metellus Macedonicus, and Quintus Pompeius, were Censors; both of Plebeian extraction; of which this is recorded as the first example. Metellus, at the Census, made a memorable speech, in which he recommended marriage, for the establishment of families, and the rearing of children. This speech being preserved, will recur to our notice again, when read by Augustus in public, as a lesson equally applicable to the times in which the reins of empire were held by himself.

In this period, the males fit to bear arms, as appeared at their enrolment, amounted to three hundred and seventeen thousand eight hundred and twenty-three. But what is most memorable in the conduct of this muster, was the disgrace of Caius Attinius Labeo, who, being struck off the rolls of the Senate by Metellus, afterwards became Tribune of the People; and, by the difficulty with which the effect of his unjust revenge came to be prevented, evinced the danger of making the will of any officer sacred, in order by his means to restrain the commission of wrongs.

Metellus, who from this transaction remained an object of revenge to Labeo, in returning from the country, about noon, while the market-place was ill-attended or thin, found himself suddenly apprehended,

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apprehended, by this vindictive person, now become Tribune of the People, and, ordered to be immediately thrown from the Tarpeian Rock. Multitudes soon assembled around him, were sensible how much the Tribune abused the sacred trust of his office; and many voices were heard from the crowd, accosting Metellus by the name of Father, and lamenting his fate: but, unless another Tribune could be found to interpose in his behalf, there was no other power in the commonwealth that could, without supposed profanation, interrupt him in the commission of so great a crime. Metellus struggled to obtain a delay, was overpowered and dragged through the streets, while the violence he suffered made the blood to spring from his nostrils. And although the interposition of another Tribune was procured in time to save his life; yet Attinius having, with a lighted fire and other forms of consecration, devoted his estate to sacred uses, it is mentioned that he never recovered his property¹. And such was the weak state to which the government was reduced by the late popular encroachments, that this outrageous abuse of power was never punished; and such the moderation of this great man's kindred, that though he himself lived fifteen years in high credit after this outrage, saw his children raised to the highest dignities, so that he was carried to his grave by four sons; of whom

¹ Plin. lib. vii. c. 44. Cicero, in pleading to have his house restored to him, though devoted to sacred uses, states the form of consecration in the case of Metellus, but denies the effect of it. *Pro domo sua*, c. 47.

whom one had been Censor, two had triumphed, three had been Consuls, and the fourth, then Prætor, was candidate for the Consulate, which he obtained in the following year; yet no one of this powerful family was induced to hazard increasing the disturbances of the commonwealth, by attempting to revenge the outrage which their father had suffered¹.

This Caius Attinius is mentioned as being the person who obtained the admission of the Tribunes, in right of their office, to a place in the Senate².

The Consul Sempronius, though authorised by a decree of this Body to restrain the violence of the commissioners who were employed in the execution of the Agrarian law, declined that hazardous business, and chose rather to encounter the enemy in the province of Istria, where he made some conquests, and obtained a triumph.

In these turbulent times lived Pacuvius, the tragic poet, and Lucilius, inventor of the satire. The latter, if we suppose him to be the same whose name is found in the list of Questors, was a person of rank, and moved in the line of political preferment.

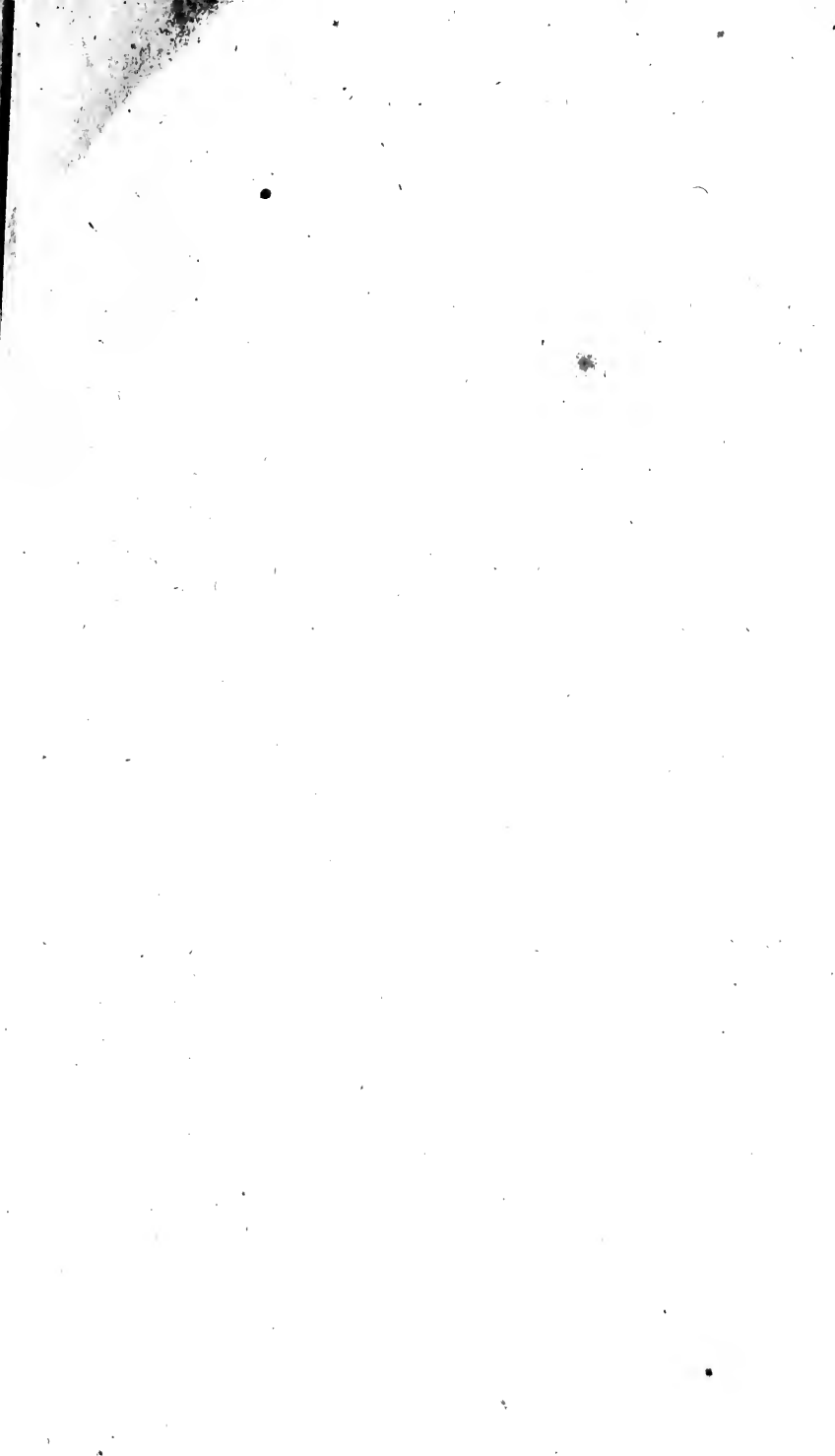
In this period is dated a dreadful eruption of Mount Etna, the effect of subterraneous fires, which, shaking the foundations of Sicily and the neighbouring islands, gave explosions of flame, not only

¹ Plin. lib. vii. c. 44.

² A. Gellius, lib. xiv. c. 8.

CHAP. IX. only from the crater of that mountain, but likewise from below the waters of the sea, and forced sudden and great inundations over the islands of Liparé and the neighbouring coasts.

END OF VOLUME FIRST.





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